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CRL OP No. 27820 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 27820 of 2025 & CrI.M.P.No.18894 of 2025

1. KARUPPUSAMY

S/o.Ravi, East Street, Muthualamman
Koil Street, Periya Kannady,
Kurunjipadi, Panruti (TK), Cuddalore
District.

Petitioner(s)

Vs

1. The State Rep by, The Station House
Officer,
Bahour Circle, Puducherry.
Cr.No.94/2019.

2.Malarkodi

W/o.Devanathan, No.48, West Krishna
Nagar, Bahour, Puducherry.

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to call for the records in Spl.SC.No.33/2023 on the file of the Learned Sessions Judge, Fast Track Court Exclusively to deal with offences under the POCSO Act,



Puducherry and quash the Entire Criminal proceedings in so far as it related to the petitioners concerned .

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For Petitioner(s): Mr.K.Jothisivam

For Respondent(s): Mr.K.S.Mohandass,
Public Prosecutor, Pondicherry
Assistated by Ms.N.Danalatchoumy – R1

ORDER

This Criminal Original Petition has been filed to quash the case in Spl.SC.No.33/2023 on the file of the Learned Sessions Judge, Fast Track Court Exclusively to deal with offences under the POCSO Act, Puducherry registered for the offences under section 5[1] read with 6 of Protection of Children from Sexual Offences Act, 2012 and sections 363 and 376 of IPC.

2. The case of the prosecution is that the petitioner had kidnapped the victim girl and kidnapped her from the lawful custody of her parents to the residence of one Pawankumar and committed rape on her. The petitioner seeks to quash the final report on the ground of compromise arrived between the petitioner and the defacto complainant.



3. The petitioner and the defacto complainant are present before this Court. According to them they were in love affair and as the dispute arose, the First Information came to be filed. It is their further contention that they are now married and living happy married life. Hence, seeks to quash the final report filed against the petitioner on basis of the Joint Compromise Memo filed by the petitioner and the defacto complainant.

4. Though this Court entertains these type of petitions only when the victim girl is above 17 years, in this case, the victim is only 16 years. Hence, this Court is not inclined to quash the final report. Let the victim appear before the trial Court and depose with regard to her marriage with the petitioner and the same will be considered by the trial Court.

5. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed. Taking note of the marriage between the petitioner and the victim girl, the personal appearance of



the petitioner is dispensed with before the trial Court, except for receipt of copies, answering the charges, questioning under section 313 Cr.P.C./351 BNSS and on the date of pronouncing judgment and on any other dates as fixed by the trial Court.

13-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The Sessions Judge,
Fast Track Court Exclusively to deal
with offences under the POCSO Act,
Puducherry.

2. The Station House Officer,
Bahour Circle, Puducherry.
Cr.No.94/2019.



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