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CRL OP No. 27999 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 27999 of 2025

1. MURUGAN

S/o.Kuppusamy, Perumal Koil Street,
Veeraperumanallur, Panruti Taluk,
Cuddalore District.

Petitioner(s)

Vs

1. The Inspector of Police,
All Women Police Station, Panruti,
Cuddalore District. Cr.No.25/2024.

2. redacted

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 528 of BNSS, to call for the records in Spl.S.C.No.4 of 2025 on the file of the Special Court for POCSO Act, Cuddalore and to quash the same.

For Petitioner(s): Mr.T.Gnana Banu

For R1 Mr.R.Vinothraja
Government Advocate (Crl.Side)

R2 Appeared in person

**ORDER**

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This Criminal Original Petition is filed under Section 528 of BNSS, to call for the records in Spl.S.C.No.4 of 2025 on the file of the Special Court for POCSO Act, Cuddalore and to quash the same.

2. The petitioner/accused is the father of the minor child. The allegation as against the petitioner is that on 17.09.2024, while the child was in her house, the accused came drunken mood, tried to molest the victim girl. Based on the complaint made by the second respondent herein, the first respondent-Police registered a case as against the petitioner herein for the offences under Section 296(b) of BNS and Sections g(n) and g(l) and 10 of Protection of Child from Sexual Offences Act.

3. The learned Government Advocate (Crl.Side) appearing for the respondent-Police submitted that though the offence is serious in nature, he fairly submitted that while examining the victim under Section 164 Cr.P.C./ 183(5) BNSS she has not supported the case of the prosecution. She has given different story.



4. Mrs.J.Ramani, WHC, AWPS, Panruti, was present before this Court and she informed this Court that the defacto complainant had approached her and informed her that she does not want to proceed further with the criminal proceedings against the petitioner.

5. The petitioner, the second respondent and the victim girl were also present before this Court at the time of hearing. This Court examined the victim girl and she stated that she is not willing to undergo this agony any further and wanted the criminal proceedings to be quashed.

6. The learned Additional Public Prosecutor appearing on behalf of the first respondent-Police submitted that though the parties entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offence has to consider the issue as to whether an offence of this nature can be quashed on the ground of compromise between the parties.

7. However, on a perusal of the entire statement recorded under Section 164 Cr.P.C./ 183(5) BNSS, the victim has clearly stated that she called the Police since her father always used to fight with her mother. Thereafter, case came to be filed. Now, the parties also appeared before this Court and



filed a compounding petition.

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8. In fact, the complainant is the mother. She is also present before this Court. She has also clearly stated that they compounded the offence, and stated that no such occurrence has taken place. The complaint has been given due to the attitude of the accused with his wife.

9. The possibility of using a child as a weapon in order to wreck a personal vengeance, taking advantage of the situation against a person cannot be ruled out. The victim has not supported the prosecution. When the Court has also enquired today, she has also stated before this Court that her Mother has given a complaint only under the impression that the petitioner/father will let off after warning. However, the Police has written some other allegations. No such occurrence has taken place as alleged by the prosecution.

10. However, in the present case, the wrong is basically to the victim. The offender and the victim have now settled all the dispute between them amicably. Further, the petitioner as well as the *de facto* complainant have filed separate affidavits to the effect that they have entered into this compromise to ensure a well-being and peaceful future. In view of the unambiguous



statements given by both the parties, this Court is of the view that the continuation of criminal proceedings will not serve any purpose and it would only prolong distress for all concerned, especially when the *de facto* complainant has specifically mentioned that she had settled the issues with the petitioner so as to maintain the harmony in their life in future. In view of the above, this Court is inclined to quash the proceedings in Spl.S.C.No.4 of 2025 on the file of the Special Court for POCSO Act, Cuddalore in exercise of its jurisdiction under Section 482 of Cr.P.C/528 of BNSS.

11. Accordingly, this Criminal Original Petition is allowed and the case in Spl.S.C.No.4 of 2025 on the file of the Special Court for POCSO Act, Cuddalore is quashed as against the petitioner. The Joint Compromise Memo and separate affidavits filed by the petitioner and the second respondent for compromising the offences shall form part of the records.

14-10-2025

mfa

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

1. The Special Judge,
Special Court for POCSO Act,
Cuddalore

2. The Inspector of Police,
All Women Police Station, Panruti,
Cuddalore District. Cr.No.25/2024.

3. The Public Prosecutor,
High Court, Chennai.



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N.SATHISH KUMAR J.

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