



CRL OP(MD). No.18321 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 27/10/2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.18321 of 2025
and
CrI.M.P(MD) No.15037 of 2025

M.Sureshkumar

... Petitioner

Vs

1.State of Tamilnadu
Rep by Inspector of Police,
All Women Police Station,
Nagercoil,
Kanniyakumari District.
Crime No. 55 of 2019.

2. Xxx,
Xxxx
Kanyakumari District.

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the impugned charge sheet in Spl.SC.No. 73/2020 on the file of the learned Special Court for Exclusive Trial of cases under POCSO Act, Nagercoil and quash the same against the petitioner/accused.

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For Petitioner : Mr.R.Venkateswaran,
Advocate.
For R1 : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

ORDER

The petitioner seeks to quash the impugned charge sheet in Spl.SC.No.73 of 2020, on the file of the learned Special Judge for Exclusive Trial of cases under POCSO Act, Nagercoil, which was filed for the offences under Sections 7, 8, 11(v), 12, 9(f) and 10 of the POCSO and 506(ii) of IPC.

2.The gist of the allegation in the final report is that the the defacto complainant/victim is the driver's daughter of the petitioner; that the petitioner used to send obscene messages to the defacto complainant, when she was aged 17 years; that he had Committed sexual assault by touching her breast and back and thus committed the aforesaid offences.

3.The learned counsel for the petitioner would submit that the impugned complaint has been instituted only at the instance of the parents of the victim girl; that she had a love affair with the petitioner;



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that in any case, the parties have now arrived a compromise; that the victim girl has married another person and the petitioner also married another lady; that since the victim girl does not wish to pursue the impugned prosecution, it may be quashed. The parties have also filed a joint compromise memo dated 26.10.2025.

4.The petitioner and the victim girl are present before this Court in person and identified by Ms.L.Shahila, Women Head Constable, All Women Police Station, Nagercoil, Kanniyakumari District and confirmed the compromise arrived at between them. In fact, the victim girl would state that she had lodged the complaint at the instance of her father and that she does not wish to pursue the case.

5.The learned Additional Public Prosecutor appearing for the respondent police would submit that the trial has not commenced so far.

6.Considering the nature of the allegation, the fact that the victim girl and the petitioner had love affair, the statement of the victim girl that she does not wish to pursue the case and also the fact that parties



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have arrived at a compromise, this Court is of the view that no useful purpose would be served by keeping the impugned FIR pending investigation. Accordingly, the impugned FIR in Crime No.107 of 2025, on the file of the first respondent police, is quashed and the Criminal Original Petition stands allowed. The joint compromise memo dated 26.10.2025 shall form part of this order. Consequently, connected miscellaneous petition is closed.

27.10.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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TO

1.The Inspector of Police,
All Women Police Station,
Nagercoil,
Kanniyakumari District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN,J

CP

ORDER
IN
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