



CRL OP(MD). No.16001 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 24/10/2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.16001 of 2025

Thangakumar

... Petitioner

Vs

1. State of Tamilnadu
Rep by Inspector of Police,
AWPS-Alangulam,
Tenkasi District.
(Crime No. 16 of 2023).

2.Xxxx,
Xxxx,
Tenkasi District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the entire records pertaining to the proceedings in Spl.S.C. No. 633 of 2024 pending on the Principal District Court, Tenkasi and quash the same as far as the petitioner is concerned.

For Petitioner : Mr.R.L.Dhilipan Pandian
Advocate.

For R1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

For R2 : Mr.L.Siva

ORDER



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The petitioner seeks to quash the impugned final report filed in Spl.S.C. No. 633 of 2024, on the Principal District Court, Tenkasi, for the offences under Sections 3(a), 4, 5(j)(ii) and 6 of POCSO Act.

2. The allegation in the final report is that the the petitioner and the defacto complainant had loved each other; that on the date of occurrence, the petitioner took the victim to a hotel when she was a minor (17 years) and had sexual intercourse with her and thus, the petitioner committed the aforesaid offences.

3.The learned counsel for the petitioner and the learned counsel for the second respondent/victim would submit that the petitioner and the victim had loved each other; that the victim, whose date of birth is 13.05.2007, has now attained majority; that the victim girl has married another person and the petitioner has also married another lady; that the parties have now arrived a compromise; that the victim girl does not wish to pursue the impugned prosecution and that the parties have also filed a joint compromise memo dated 15.09.2025.



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4.The petitioner and the victim girl is present before this Court in person and identified by Mr.S.Muthulakshmi, Special Sub Inspector of Police, All Women Police Station, Alangulam, Tenkasi District and confirmed the compromise arrived at between them.

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

6.The victim has now married another person and she does not wish to pursue this case. She would also submit that there was a consensual relationship due to a love affair. She has now married another person and would state that the pendency of the case is likely to affect her matrimonial life.

7.Considering the nature of the allegation and the fact that the defacto complainant herself is not willing to pursue the case and it appears that she had married another person and the petitioner has also married another lady; that the alleged occurrence had taken place



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pursuant to a love affair and the parties have arrived at a compromise, this Court is of the view that no useful purpose would be served by keeping the impugned proceedings pending trial as chances of conviction are bleak.

8. Accordingly, the impugned final report in Spl.S.C.No.633 of 2024, on the file of the Principal District Court, Tenkasi, is quashed and the Criminal Original Petition stands allowed. The joint compromise memo dated 15.09.2025 shall form part of this order.

24.10.2025

CP/ars

TO

- 1.The Principal District Judge,
Tenkasi.
- 2.The Inspector of Police,
AWPS-Alangulam,
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J

CP/ars

ORDER
IN
CRL OP(MD) No.16001 of 2025

Date : 24/10/2025