



CRL OP(MD) NO. 18651 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19-11-2025

CORAM
THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP(MD) NO. 18651 of 2025

P.Shamsudeen
S/o.Peer Mohamed

Petitioner(s)

Vs

1.The Inspector Of Police,
All Women Police Station,
Tiruchendur,
Thoothukudi District.
(Crime No.5/2025)

2.XXXXXXXXXX,
Thoothukudi District.

Respondent(s)

For Petitioner(s):

Mr.M.Sheik Abdullah,
Advocate

For Respondent(s):

Mr.K.Sanjai Gandhi,
Government Advocate (Criminal Side) for R1

Mr.A.Arunachalam,
Advocate for R2



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Prayer : Criminal Original Petition is filed to call for the records in Special.S.C.No.98 of 2025 on the file of the Special Court Exclusively case under POCSO Act, Thoothukudi and quash the same.

ORDER

This petition is filed to quash the impugned final report in Spl.S.C.No.98 of 2025 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Thoothukudi for the offences under Sections 5(n), 5(l), 6, 7, and 8 of Protection of Child from Sexual Offences Act, 2012 r/w. Section 351(2) of the BNS, 2023.

2. The gist of the allegation is that the petitioner, who is the father of the victim girl, had committed sexual intercourse on the victim girl, when she was a minor.

3. The learned counsel for the petitioner would submit that the allegations are false; that the victim girl has now filed an affidavit stating that she was compelled to give a complaint against her own father by her maternal uncle one P.M.Sheriff, and that the complaint given by her is false and therefore, the impugned proceedings may be quashed.



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4. The memo of compromise and affidavit are taken on record. The victim girl is present before this Court and she has confirmed that she had given a false complaint.

5. It is seen that the provisions under POCSO Act are being misused to settle private disputes. This is one such case. Normally, this Court would have quashed the proceedings on the basis of such a statement as no useful purpose would be served by continuing the proceedings. However, since the provisions have been misused at the instance of the victim's uncle one P.M.Sheriff, this Court is inclined to order an enquiry on the said allegations.

6. Accordingly, the Superintendent of Police, Thoothukudi, shall conduct an enquiry to ascertain whether the complaint was lodged by the victim girl at the instance of the said P.M.Sheriff. If the Superintendent of Police, after conducting the enquiry, concludes that a false complaint was lodged at the said P.M.Sheriff's instance, he shall take severe action against him in accordance with law for instituting a false complaint. The



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Superintendent of Police shall file a status report before this Court on or before 16.12.2025.

7. Call the matter on **17.12.2025**.

8. In the meanwhile, the proceedings before the trial Court shall remain stayed, and the personal appearance of the petitioner before the trial Court is also dispensed with.

19-11-2025

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To

1.The Special Court for Exclusive Trial of Cases under POCSO Act,
Thoothukudi.

2.The Superintendent of Police,
Thoothukudi.

3.The Inspector Of Police,
All Women Police Station,
Tiruchendur,
Thoothukudi District.

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

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SUNDER MOHAN, J.

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