



WEB COPY

CRL OP No. 8640 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

**CRL OP No. 8640 of 2026
and Crl.M.P.No.6147 of 2026**

1. Siva
S/o Balakrishnan,
Main Road, North Street,
Mukkukuruchi Senthurai Taluk,
Ariyalur District
2. Sudha
W/o Senthil,
East Street,
Mukkukuruchi,
Senthurai Taluk,
Ariyalur District
3. Senthil @ (Ulaga Senthil)
S/o Ulaganathan,
East Street,
Mukkukuruchi, Senthurai Taluk,
Ariyalur District

..Petitioner(s)

Vs

1. State rep by The Inspector of Police
Thalavai Police Station,
ariyalur District.
(Crime No.9 of 2025)Ariyalur
2. Dhavamani
Senthil Kumar,
North Street,
Mukkukuruchi, Senthurai Taluk,
Ariyalur District.

..Respondent(s)

Criminal Original Petition is filed under Section 528 BNSS to call for the records in Spl.SC.No.303 of 2025 on the file of Sessions Judge, Fast Track



Mahila Court, Ariyalur District and Quash the same.

For Petitioner(s):

Mr. P.Pugalenth

For Respondent(s):

M/S. LEONARD ARUL JOSEPH SELVAM
ADDITIONAL PP for R1

ORDER

The petitioners / accused facing trial in Spl. SC.No.303/2025 for the offences under Section 11(4), 12, 17 of POCSO Act and Section 351(2) of BNS, 2023, has filed this quash petition.

2. The contention of the petitioners is that the victim girl was in love with the first petitioner / A1 despite informing her that she is a minor and she cannot have such desire. Despite the same, she was showing interest with the first petitioner and also having regular communication with the first petitioner through Social Media like Instagram which is now projected against the petitioner as though the first petitioner has made tattoo marks in his hand, posted in the Social Media and followed the victim and the petitioners threatened the victim and her parents to marry the first petitioner.

3. Learned Additional Public Prosecutor strongly opposed the contention of the petitioner and produced the statement of the victim under Section 164 Cr.P.C.. On perusal of the 164 statement of the victim, it is seen that the victim



girl was studying XII Std and one of her classmate had informed her that the first petitioner is very much interested on her and he wants to have a relationship, which the victim refused and stated that she is more interested in education and wanted to study. The parents of the petitioner and others have been constantly following upon the victim's parents for marriage and they also threatened them. The victim's father is a handicapped person and taking advantage of his physical health and their financial background, the petitioners are threatening the victim and her family members. Unable to withstand the threat and the harassment, the mother of the victim finally lodged a complaint through child helpline and a case has been registered and now investigation has been completed and charge sheet has been filed.

4. The contention raised by the petitioner is that he has got social media messages to show that it was the victim girl who was behind the petitioner and not the petitioner.

5. Considering the submissions and on perusal of the materials on record this Court is of the view that there are prima facie materials available on record to proceed against the petitioners and the points raised by the petitioners are factual and the same has to be decided at the time of trial. Hence, this Court is not inclined to allow this petition. It is for the petitioners to raise those points and produce the materials in support of their defence at the time of trial.



6. Accordingly, this Criminal Original Petition is dismissed. Connected miscellaneous petition is dismissed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

BKN



To:

1. The Inspector of Police
Thalavai Police Station,
ariyalur District.
(Crime No.9 of 2025)Ariyalur

2. Sessions Judge, Fast Tract Mahila Court, Ariyalur District.

3. Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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