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Crl.O.P. No.10771 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2026

CORAM

THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR

Crl.O.P. No. 10771 of 2026

Prathosh

..Petitioner

Vs.

1. State rep. by its
Inspector of Police,
W-6, All Women Police Station,
Ayanavaram, Chennai.
(Crime No. 2 of 2022).

2. Nagapooshanam
3. Nithya

..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to call for records in Spl.S.C. No. 182 of 2022 on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Chennai and accept the compromise memo and quash the same.

For Petitioner :: Mr.M. Shimiyaon Edwin

For Respondents :: Mr.R. Rajasekaran,
Counsel for Govt. of Tamil Nadu
(Crl.Side) for R1
Mr.K.S. Shyamsundar for R2 & R3



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ORDER

The present criminal original petition is filed to call for records in Spl.S.C. No. 182 of 2022 on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Chennai and accept the compromise memo and quash the same.

2. The petitioner/accused in Spl.S.C. No. 182 of 2022 is facing trial for the offences under Sections 366 IPC, 67(B) of IT Act and Sections 7 r/w 8 & 11(iv) r/w 12 of POCSO Act, 2012.

3. The case of the prosecution is that the 2nd respondent/ de facto complainant and his wife are employees in SBI Life Insurance on contract basis and they have two daughters, namely, the 3rd respondent herein/victim girl, studying in X standard in Nirmal Matriculation School, Ayanavaram and another studying in V standard in the very same school. The de facto complainant found that her elder daughter was often glued to her mobile phone and also found to be regularly chatting over phone. The de facto complainant\father of the victim girl had objected to the same. On 06.04.2022, he saw his daughter's photographs along with another person in instagram and when he questioned, he came to know that in November,



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2021, the 3rd respondent came in contact with the petitioner; they developed

liking towards each other and they have been going to various places and taking photographs and one such photograph was posted in the instagram.

Hence, the complaint was lodged by the 2nd respondent on 08.04.2022 with the 1st respondent Police for the aforesaid offences. On completion of investigation, final report filed listing 17 witnesses and the same was taken cognizance in Spl.S.C. No. 182 of 2022 by the Special Court for Exclusive Trial of Cases under POCSO Act, Chennai.

4. Learned counsel for the petitioner submitted that the victim girl has now attained majority and as per her wish, the marriage was performed and reception was also held between the petitioner and the victim girl.

5. The 2nd respondent/de facto complainant, father of the victim confirmed that now, his daughter has attained majority; both the petitioner and his daughter got married and they are living happily as husband and wife. The marriage photographs have been produced.

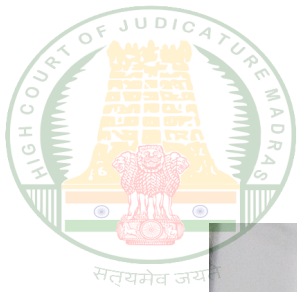


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6. Today, the petitioner along with the victim girl and the de facto complainant are present before this Court identified by their respective counsel as well as by Ms.V. Maria Suriya, WPC 63984, W-6, AWPS, Ayanavaram, Chennai.

7. Now, that the 3rd respondent/victim girl has attained majority, which is confirmed by the 2nd respondent/father of the victim girl; the marriage between the victim girl and the petitioner has been performed with the consent of both families and the issue has been amicably settled, the 2nd and 3rd respondents do not want to pursue the criminal proceedings pending against the petitioner and seek to quash the same. Affidavits and a Joint Compromise Memo have been filed.

8. The Joint Memo of compromise filed by the parties dated 24.03.2026 is scanned and reproduced below:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Side Jurisdiction)
Crl.O.P.No. 10771 of 2026
in
SPL.SC.No.182 of 2022
(On the file of the Special Court For Exclusive Trial of Cases Under
POCSO ACT, Chennai)

Prathosh, M/24 years,
S/o. Baskaran,
No.65, Peerumal Kovil Street,
Thirupachur Kaottai Colony,
Tiruvallur District

... Petitioner/Sole Accused

- Versus -

1. State Rep. by its
Inspector of Police,
W-6, All Women Police Station,
Ayanavaram,
Chennai
(Crime No.2/2022)

... 1st Respondent/Complainant

2. Nagapooshanam, M/43 years,
S/o. Kondaiah,
No.184/6, Mettu Street,
Ayanavaram,
Chennai.

... 2nd Respondent/Defacto complainant

3. Nithya, F/19 Years,
D/o. Nagapooshanam,
No.184/6, Mettu Street,
Ayanavaram,
Chennai.

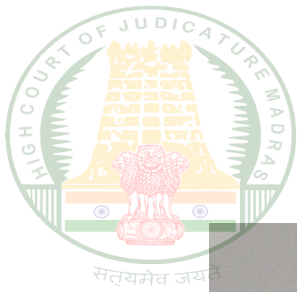
... 3rd Respondent/Victim

**JOINT COMPROMISE MEMO FILED BY PETITIONER AND
2ND RESPONDENT & 3RD RESPONDENT**

1. The Petitioner/accused herein and the 2nd respondent/father of the
Victim Girl & 3rd respondent/Victim Girl herein are herewith presenting
this Joint Compromise Memo in support of the Memorandum of
Grounds of Criminal Original Petition to quash the Charge Sheet in

B. Prathosh.

K. N. Nithya



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SPL SC No.182 of 2022 on the file of the Special Court for Exclusive Trail of Cases Under POCSO ACT, Chennai.

2. It is submitted that the 3rd respondent have lodged complaint before the 1st respondent police. Therefore at later some point of time only the petitioner and the victim respondent are realized their mistakes. Hence the respondent 2 and 3 has and father and victim who no objection for quashing the Charge Sheet in SPL SC No.182 of 2022 on the file of the Special Court for Exclusive Trail of Cases Under POCSO ACT, Chennai as against the petitioner.

3. It is submitted that the compromise entered into between the Parties a is reduced into writing by way of this Joint Compromise Memo and the parties to the petition to Quash along with the respective counsel have signed the same, agreeing to the filing of the quash petition by both parties and express their unconditional willingness to get the respective cases quashed registered based on the respective complaints preferred by the 3rd respondent to the 1st respondent.

It is submitted that this Joint Compromise Memo may be treated as part and parcel of the Criminal Original Petition in Charge Sheet in SPL SC No.182 of 2022 on the file of the Special Court for Exclusive Trail of Cases Under POCSO ACT, Chennai and may be quashed thus render justice.

Dated at Chennai this the 24th day of March, 2026

B. Pruthosh
Petitioner

K. Trasya
K. N. Pruthi
Respondent

[Signature]
24/03/26
Counsel for the Petitioner

[Signature]
Counsel for the respondents



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9. Learned Government Counsel (Crl.Side) appearing on

behalf of the first respondent submitted that though the parties entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offences, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise between parties.

10. It is seen that victim girl attained majority, married and living happily with the petitioner. The Apex Court in the case of ***“K.Dhandapani vs. State by the Inspector of Police*** reported in ***2022 SCC Online SC 1056***”, considered the subsequent events and observed that *the Court cannot shut its eyes to the ground reality and disturb the happy family life of the petitioner as well as the victim.* In view of the same, this Court finds that continuation of the proceedings will serve no purpose and it is only an abuse of process of law. Hence, this Court is inclined to quash the proceedings pending against the petitioner in Spl.S.C. No. 182 of 2022 on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Chennai in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.



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M. NIRMAL KUMAR,J.

nv

11. Accordingly, this Criminal Original Petition stands allowed and the proceedings in Spl.S.C. No. 182 of 2022 on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Chennai is quashed as against the petitioner.

12. The affidavits and the Joint Memo of Compromise filed by the petitioner, the de facto complainant and the victim girl for compromising the offences shall form part of the records.

05.06.2026

nv

1. The Special Court for Exclusive Trial
of Cases under POCSO Act,
Chennai.
2. Inspector of Police,
W-6, All Women Police Station,
Ayanavaram, Chennai.
3. The Public Prosecutor, High Court,
Chennai.

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