



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 9900 of 2026

R. Karthik
S/o. Rajamanikkam,
No.1/82, North Street, A.Kumaramangalam,
Kanayar Post, Ulundurpet Taluk,
Kallakurichi District.

..Petitioner(s)

Vs

1. The State rep by,
Inspector of Police,
Tirupur South All Women Police Station,
Tirupur South, Tirupur District.

2. Xxxx
D/o.XXX,
XXXX, XXXX,
Kallakurichi District.

..Respondent(s)

PRAYER: This criminal original petition filed under Section 528 of BNSS, 2023 to call for the records and quash charge sheet in Spl.SC.No.175 of 2022 pending before on the file of the Sessions Judge, Fast Track Mahila Court, Tirupur based on compromise and pass such further or other orders as this Hon'ble Court may deem fit.

For Petitioner(s):

Mr.Krishnasamy Chinnasamy

For Respondent(s):

M/S. LEONARD ARUL JOSEPH SELVAM
ADDITIONAL PUBLIC PROSECUTOR
FOR R1

Ms.M.Hemalatha for R2

**ORDER**

The petitioner/accused facing trial in Spl.S.C.No.175 of 2022 for offences under Sections 5(i), 5(j)(ii) and 6 of Protection of Child From Sexual Offences Act, 2012, filed this quash petition.

2.The case against the petitioner is that the victim girl, who is born on 14.02.2006, aged 16 years was studying in 12th standard at Government Higher Secondary School, Iduvampalayam, Tiruppur and was residing with her maternal grandmother at Muthu Complex, Thanthai Periyar Nagar, Murugampalayam, Tiruppur at the time of occurrence. The accused was staying in a hostel attached to SRH Apparels Baniyan Company wherein he was working, which is near the victim girl's residence. Prior to the incident, the victim girl had been in contact with the accused, therefore, developed their relationship. In this situation, on 04.08.2022 at about 4.00 a.m. the accused took the victim girl to a vacant site opposite her house, near a haystack and on the promise of marrying her, he alleged to have committed penetrative sexual assault. Hence, complaint lodged against the petitioner and FIR registered in Crime No.19 of 2022 for offences under Sections 5(i), 5(j)(ii) & 6 of Protection of Child From Sexual Offences Act, 2012. The Inspector of Police, Tiruppur South All Women Police Station, Tiruppur filed charge sheet before the Sessions Judge, Fast Track Mahila Court, Tiruppur, which was taken on file in Spl.S.C.No.19 of 2022.



3.The learned counsel for the petitioner submits that the victim girl now attained majority and married the petitioner and they are living happily as husband and wife. Out of their wedlock, a boy baby was born on 27.10.2025 and the birth certificate of the baby produced before this Court. Now, the victim girl and the petitioner living as husband and wife. Hence, the petitioner filed this petition to quash the proceedings of Spl.S.C.No.19 of 2022.

4.The learned Additional Public Prosecutor submitted that based on the complaint, a case registered and after completion of investigation, charge sheet filed, listing 13 witnesses. Now, the case is at trial stage and further, submitted that though the parties entered into a compromise, taking into account the seriousness of the offence, has to consider whether offences of this nature can be quashed on the ground of compromise between parties.

5.The learned counsel appearing for the petitioner as well as for the de facto complainant submitted that the parties are living happily as husband and wife and they have a boy baby, the subsequent development requires the case to be quashed to do good, otherwise their matrimonial life will get affected, and future of the wife and baby will be greatly affected. Hence, they seek to quash the proceedings pending against the petitioner and in this regard, a joint compromise memo entered into between them, which is scanned and extracted hereunder:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

[Criminal Original Jurisdiction]

CRL.O.P. No. 9900 of 2026

in

SPL. S.C. No. 175 of 2022

[Pending on the file of the Sessions Judge Fast Track Mahila Court, Tirupur]

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R. KARTHIK, M/30 Years,

Son of Rajamanickam,

No.1/82, North Street,

A.Kumaramangalam,

Kanayar post,

Ulundurpet Taluk,

Kallakurichi District

...Petitioner/ Accused

Versus

The State rep. by

The Inspector of Police,

TIRUPPUR SOUTH ALL WOMEN POLICE STATION,

Tiruppur South,

Tiruppur District.

[Crime No. 19 of 2022]

2. xxxxxx

Daughter of xxxxxx,

xxxxxx,

xxxxxx,

xxxxxx,

Kallakurichi District

...Respondent/ De facto Complainant

Karthik
Petitioner/ Accused

K. Manickam
De Facto Complainant/ De Respondent



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JOINT COMPROMISE MEMO

1. The petitioner and the de facto complainant/2nd Respondent have been in a love affair and when the de facto complainant admitted for treatment in Government Hospital for maternity. First Information Report has been registered for the offence under sections 5(i), 5(ii)(a) and 6 of Protection of Child from Sexual Offences Act, 2012 in Crime No.19 of 2022. Subsequently, trial has been initiated in SPL. S.C. No. 175 of 2022 pending on the file of the Sessions Judge Fast Track Mahila Court, Tirupur.
2. The Petitioner and the de facto complainant/2nd Respondent were married on 20.03.2024 at A.Kumaramangalam Village, Mundurpet Taluk, Kallakurichi District. They both have been living peacefully and happily together as husband and wife. Out of their wedlock a male child has been born on 27.10.2025.
3. The Petitioner and the de facto complainant herein compromised between themselves and living peacefully as husband and wife. The disputes and differences have arisen between the Petitioner and the de facto complainant/2nd respondent in the instant case has been settled.

[Signature]
Petitioner/Respondent

[Signature]
De Facto Complainant/2nd Respondent



4. The De facto complainant/ 2nd respondent is not interested to proceed the present criminal Proceedings against the petitioner and she willfully withdraws the present criminal case in SPL S.C. No. 175 of 2022. The De facto complainant/ 2nd respondent undertakes that she won't indulge in any litigation against the Petitioner. Therefore, this Joint Compromise Memo has been filed before this Hon'ble Court along with Criminal Original Petition to quash the Criminal Proceedings.

It is therefore prayed that this Hon'ble Court may be pleased to record this Joint Compromise Memo filed by the Petitioner/Accused and the 2nd De facto Complainant/2nd Respondent to quash the Criminal proceedings in SPL.SC.No.175 of 2022 pending on the file of the learned Sessions Judge, Fast Track Mahila Court, Tirupur under compromise and pass such further or other suitable orders as this Honorable Court deems fit and proper in the circumstances of the case and thus render justice.

Dated at Chennai, this the 23rd day of March, 2026.

C. Krishnamany
Counsel for Petitioner

M. J. Jithu
Counsel for De facto Complainant/R-2

S. Ritha
Mother of the De facto Complainant/R-2

V. Subashini
Mother of the Petitioner

P. S. R.
Petitioner/Accused

K. Monica dli
De facto Complainant/2nd Respondent



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6. Heard both sides and perused the materials available on record.

7. The case is still at the stage of trial, the petitioner and victim living as husband and wife, begotten a baby all residing in one roof happily. Petitioner is the only breadwinner of the family. By quashing the case, goodness will prevail, all will live in harmony and happiness.

8. The petitioner and the victim girl appeared before this Court and were identified by their respective counsel. During interaction, the victim informed that she attained majority, both the petitioner and victim are living as husband and wife and they were blessed with a male baby on 27.10.2025. The Victim further informed that she is not inclined to proceed with the case and ready to withdraw the case and filed an affidavit to that effect. 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.



9. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.19 of 2022, pending on the file of the learned Sessions Judge, Fast Track Mahila Court, Tiruppur, is quashed and the terms of affidavits and joint compromise memo shall form part and parcel of this order.

24-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

sms

To

- 1.The Sessions Judge, Fast Track Mahila Court,
Tiruppur
- 2.The Inspector of Police,
Tiruppur South All Women Police Station,
Tiruppur South, Tiruppur District.
- 3.The Public Prosecutor
High Court, Madras.



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M.NIRMAL KUMAR, J.

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