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Crl.O.P. No.9416 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. 9416 of 2026

&

Crl.M.P. No. 6653 of 2026

1. Ajith

2. Usha

3. Raja

..Petitioners

Vs.

1. State rep. by
The Inspector of Police,
All Women Police Station,
Ponneri, Thiruvallur District.

2. Sharmila

..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to call for the records relating to the charge sheet/final report in Special S.C. No. 215 of 2025 pending on the file of Mahalir Neethi Mandram (Fast Track Mahila Court), Thiruvallur, related to Cr.No. 12 of 2021 dated 24.06.2021 on the file of the respondent Police All Women Police Station, Ponneri and



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quash the same as against the petitioners.

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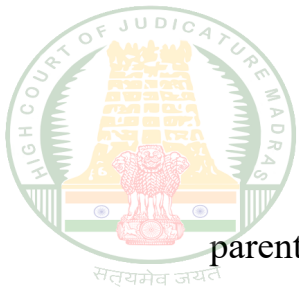
For Petitioners :: Mr.K. Karthikeyan

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

ORDER

The petitioners/accused, who are facing trial in Special S.C. No. 215 of 2025 for offences under Sections 363, 365, 366 and 376(2)(n) IPC and Sections 5(1), 5(j)(ii), 6, 16 r/w 17 of POCSO Act and Sections 9 and 10 of Child Marriage Restraint Act, have filed the present criminal original petition.

2. The case of the prosecution is that the victim in this case, aged about 16 years was working in a Export Company in Ponneri. A1 Ajith was in love with her and using sugar-coated words, had taken the victim to various places and committed penetrative sexual assault. The victim became pregnant and on coming to know about this, the mother of the victim beat her and on 28.12.2020, A1, without the knowledge of victim's



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parents, took the victim to his house where his parents conducted an intimate wedding. The victim subsequently gave birth to a girl child and as she was a minor, the respondent Police was informed by the hospital authorities leading to registration of FIR in Crime No. 12 of 2021. On completion of investigation, charge sheet was filed on 01.08.2025 for the aforesaid offences and the same was taken cognizance in Spl.S.C. No. 215 of 2025 by the Mahalir Neethi Mandram (Fast Track Mahila Court), Thiruvallur and the same is pending trial.

3. In the meanwhile, the victim attained majority and she and the 1st petitioner are living as husband and wife and out of the said wedlock, they have two children born to them, namely Nevitha, born on 22.06.2021 and Paushika, born on 01.04.2026.

4. Today, the petitioners/A1 to A3, the victim girl/2nd respondent along with her two children appeared before this Court and were identified by their respective counsel as well as by Ms.P. Shanthi, Sub Inspector of Police, Ponneri AWPS.



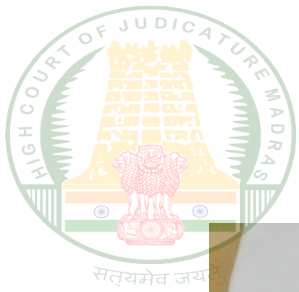
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5. On interaction by this Court, the victim stated that the issue has been amicably settled and she is not willing to pursue the criminal proceedings as against the petitioners and therefore, seeks to quash the same.

6. An affidavit dated 01.06.2026 has been filed by the victim girl/2nd respondent herein stating that she has attained majority; that she is leading a happy and peaceful matrimonial life with the 1st petitioner and out of the said wedlock, they have been blessed with two daughters namely, Nevitha, born on 22.06.2021 and Paushika, born on 01.04.2026. The victim is not willing to pursue the case against the petitioners.

7. The Joint Memo of compromise filed by the parties dated 01.06.2026 is scanned and reproduced below:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS
(CRIMINAL ORIGINAL JURISDICTION)
Crl.O.P.No. 9416 of 2026
Against
SPL SC No.215 of 2025
(On the file of the Mahilar Neethi Mandram (Fast Track
Mahila Court), Thiruvallur.
In
Crime No.12 of 2021
(On the file of the 1st respondent police)

1. Ajith, Age - 23,
S/o. Raja
No.16, Sivan Koil Street,
Ponneri Taluk,
Thiruvallur District.
2. Usha, Age - 43
W/o. Raja
No.16, Sivan Koil Street,
Ponneri Taluk,
Thiruvallur District.
3. Raja, Age - 49
S/o. Balaraman
No.16, Sivan Koil Street,
Ponneri Taluk,
Thiruvallur District.

...Petitioners/Accused 1 to 3

-Vs-

1. State rep. by
The Inspector of Police
All Woman Police Station,
Ponneri, Thiruvallur District. ...1st Respondent/Complainant
2. Sharmila, Age- 21
W/o. Ajith
No.16, Sivan Koil Street,
Ponneri Taluk,
Thiruvallur District. ...2nd Respondent/Defacto complainant



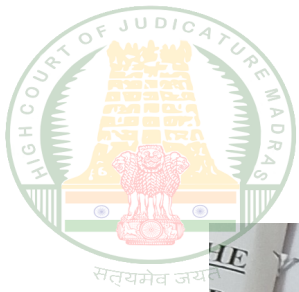
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MEMORANDUM OF JOINT COMPROMISE FILED BY THE
PETITIONERS / VICTIM AND RESPONDENTS / ACCUSED

The Petitioners herein is the Accuseds 1 to 3 and the Respondent are the victim in Crime No.12 of 2021 on the file of the Respondent Police and in SPL S.C.No.215 of 2025 on the file of the Mahilar Neethi Mandram (Fast Track Mahila Court), Thiruvallur.

The above case arose out of personal and matrimonial circumstances between the parties. All the parties are closely related and belong to the same family and community. Subsequently, the disputes arise in the Government Hospital RSRM, Royapuram, one of the staff inform to the police officer for the victim not complete the 18 years at the time of delivery of first baby. Therefore the 1st respondent registered the FIR against the petitioners and misunderstandings between the parties have been amicably settled out of free will, without any coercion, threat, pressure or undue influence, with an intention to lead a peaceful family life. The 2nd respondent has now attained majority and the marriage between the 1st Petitioner and the 2nd Respondent has been solemnized and legally valid, and the 1st petitioner and the 2nd respondent names are entered in the same family card, they are living together peacefully along with their child. Now the second baby also born on 01.04.2026.



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The 2nd respondent states that she is not willing to pursue the criminal proceedings any further and that continuation of the proceedings would cause grave hardship to the Petitioner, the accused persons and their family members. The alleged offences arise purely out of personal circumstances and do not affect society at large. No useful purpose would be served by continuing the prosecution and no prejudice would be caused to any party if the proceedings are quashed.

Hence, it is humbly prayed that this Hon'ble Court may be pleased to record this Joint Compromise Memo and pass appropriate orders in the interest of justice.

Dated at Chennai on this 01st day of June, 2026

a. Sharmila

d Respondent

[Signature]
24/73/2023

nsel for 2nd Respondent

Ajit
R.224A
B. B. B. B.

Petitioners

A. Jeyaraj
7430/2

Counsel for petitioners



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8. 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.

9. It is seen that victim girl attained majority and she is living happily with the 1st petitioner and they have been blessed with two daughters. 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 petitioners in Spl.S.C. No.215 of 2025 pending on the file of Mahalir Neethi Mandram (Fast Track Mahila Court), Thiruvallur, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.



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10. Accordingly, this Criminal Original Petition stands allowed and the proceedings in Spl. S.C. No. 215 of 2025 pending on the file of the Mahalir Neethi Mandram (Fast Track Mahila Court), Thiruvallur, is quashed as against the petitioners. Connected Crl.M.P. is closed.

11. The affidavits and the Joint Memo of Compromise filed by the petitioners and the victim girl for compromising the offences shall form part of the records.

nv

05.06.2026

To

1. Mahalir Neethimandram (Fast Track Mahila Court), Thiruvallur.
2. The Inspector of Police,
All Women Police Station,
Ponneri, Thiruvallur District.
3. The Public Prosecutor,
High Court, Madras.



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M. NIRMAL KUMAR,J.

nv

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05.06.2026

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