



Crl.O.P.No.16765 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 01.07.2026

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.No.16765 of 2026
and Crl.M.P.No.11111 of 2026

R.Rajini

.. Petitioner

Versus

1. The Inspector of Police,
Sozhatharam Police Station,
Cuddalore District.
(Cr.No.288 of 2021)

2. Murugappan
3. XXXXXXXXX

.. Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records and quash the proceedings in Spl.S.C.No.74 of 2023 on the file of the learned Sessions Judge, Mahila Court, Cuddalore District.

For Petitioner : Mr.P.Thirumalaivasan

For Respondent : Mr.M.Mohamed Riyaz,
Government Advocate (Criminal Side),
for R1



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ORDER

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The parties seek quashment on compromise.

2. The petitioner is the accused in Spl.S.C.No.74 of 2023 for the offences under Sections 5(l), 5(j)(ii), 5(n) read with Section 6 of the POCSO Act, 2012. The victim is also present before this Court. They have three months old child born on 28.04.2026. It is represented by the victim and the accused that they are living as husband and wife and they got married and the petitioner/husband is a construction worker, eking lawful livelihood. In these kind of cases, where the serious offences under POCSO Act are committed, the Court will not go by the version of the prosecutrix alone. However, considering the attendant circumstances of this case that it seems to have been a love affair that developed between them, and considering the fact that the victim child was 16 years old at the time of commission of offence and subsequently, now she has crossed 18 years of age also and that both the parties are living together and more specifically, considering the well-being of the child which is being brought up by both of them as a family, I am of the view that in the peculiar and extraordinary circumstances of the instant case, the extraordinary power under Section 482 of the Code of Criminal Procedure can be exercised.



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3. In view thereof, this Criminal Original Petition stands allowed. The Final Report and all the further proceedings in Spl.S.C.No.74 of 2023 on the file of the learned Sessions Judge, Mahila Court, Cuddalore district stands quashed. Consequently, connected miscellaneous petition is closed.

01.07.2026

Neutral Citation : no
grs

To

1. The Sessions Judge,
Mahila Court,
Cuddalore District.
2. The Inspector of Police,
Villupuram Taluk Police Station,
Villupuram District.
3. The Public Prosecutor,
High Court of Madras.



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D.BHARATHA CHAKRAVARTHY, J.

grs

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