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CrI.O.P.No.14379 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2026

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.14379 of 2026

1.Suriya

2.Valarmathi

... Petitioners

vs.

1.The Inspector of Police,
Nallan Pillai Petral,
Villupuram.
Crime No.97 of 2018

2.Selvi

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to call for the entire records with respect of
Spl.S.c.No.222 of 2019 on the file of the POCSO Court, Villupuram.

For Petitioners : Ms.E.Yuvarani

For R1 : Mr.R.Rajasekaran
Government Advocate (CrI. Side)

For R2 : Ms.V.Pramila



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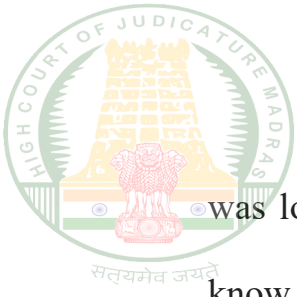
ORDER

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The petitioners/accused in Spl.S.C.No.222 of 2019 for the offence under Section 366(A) IPC and Section 4 of Protection of Children from Sexual Offences Act, 2012 (POCSO Act) on the file of the Special Court for Exclusive Trial of POCSO Act Cases, Villupuram, filed this quash petition.

2.Case of the prosecution is that in this case, the victim who is aged about 14 years and the first petitioner, were in love relationship and they used to meet regularly. This was objected by the parents of the victim, who called the accused and warned him. But the victim and the first petitioner continued their relationship and they were also speaking over mobile phone without the knowledge of her parents. On one occasion, when A1's parents were not at home, he had called the victim and forcibly committed penetrative sexual assault on the promise that he would marry her. The victim completed her 10th standard and she was on holidays. On 21.04.2018 at about 8.00 a.m., when the victim went to the field, the accused A1 to A3 followed her, forcibly kidnapped her and taken to a temple in Tiruvannamalai where she fell sick. Thereafter, the victim was taken to a private nursing home at Melpappampadi. In the meanwhile, a complaint

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was lodged by the parents of the victim, case registered and on coming to know that the victim and the accused were in Thirunavalai, the police had gone there, rescued the victim and arrested the accused. Thereafter the victim's statement recorded, she was produced for medical examination, 164 statement recorded and the accused was produced for medical examination. Medical reports of the victim and the accused collected and Transfer Certificate of the victim collected from the School. On completion of investigation, charge sheet filed listing LW1 to LW21 and documents.

3.The learned counsel for the petitioner submitted that in this case, there are totally three accused, A1 and A3 are the son and mother, A2 is the uncle. A2/Bakkiyaraj passed away on 05.12.2025. Now the son and mother, A1 and A3 are facing trial. She further submitted that in this case the petitioner and victim family both hail from the same village having similar economic and social status and there is no disparity among them. The victim in her statement admits that the first petitioner and the victim were in love relationship for several years and they both were talking in an isolated place often, further the victim was also speaking to him over mobile phone without the knowledge of her parents confirming the bondage of love



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between the first petitioner and the victim. The victim in her statement not disclosed anything about penetrative sexual assault, except for one line wherein she states that on one occasion, there was forcible penetrative sexual assault. The medical record would confirm that there was no force and there was no injuries on the victim, further the medical report is only suggestive in nature. Even going by the statement of other witnesses, it is seen that the victim went along with A1, his uncle/A2 and mother/A3. The witnesses who have seen A1 to A3 following the victim not whispered anything about forcible abduction. The victim went along with them to the temple and the marriage was to be performed on the next day. But during night hours, she fell sick and she was taken to the hospital for treatment. In fact, they didn't have money for medical treatment and they were making arrangements for the same which would show that nothing was pre-planned. The victim was examined as PW6, victim's parents examined as PW1 and PW2, victim's uncle examined as PW3, all in their statements not stated about any abduction or forcible penetrative sexual assault committed. The medical report is only suggestive and not conclusive. Now the victim got married and having a baby. She is living separately in the same village and the first petitioner is leading his own life. The victim finding that a



magnified complaint was given by her parents due to the missing of the victim. The defacto complainant/mother of the victim confirms the same.

They filed an affidavit to that effect and a joint compromise memo also filed.

4.The learned Government Advocate (Crl. Side) submitted that in this case, the defacto complainant is the mother of the victim, who found her daughter missing from 21.04.2018, thereafter search was made and complaint lodged on 23.04.2018. Based on the complaint, case registered and on getting information that the victim and the accused were near the Bus stand, the respondent police went there, arrested the accused and secured the victim. Thereafter victim statement recorded, she was produced before the Doctor and before the Magistrate. The victim confirmed that she was forcibly taken by the petitioners. On conclusion of investigation, charge sheet filed in this case. He would submit that now the issue had been resolved, the victim is now married and having a baby, she confirmed that she may be let live her peaceful family life.

5.Today, the petitioners, defacto complainant and the victim present before this Court. On enquiry, the defacto complainant and the victim



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confirmed the affidavit and reiterated that all belong to the same village having no disparity in social or economic status. The victim is not inclined to proceed further. On a specific question with regard to penetrative sexual assault, the victim denied the same and confirmed that they were in love with each other and nothing more.

6.A scanned reproduction of the joint compromise memo is as follows:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal side Jurisdiction)

CrI.OP.NO. 14379 OF 2026

In

Spl.Sc.222 Of 2019

(on the file POCSO Court, Villupuram)

1. Suriya (Age- 29)
S/o muniyan
Melpappampadi village,
Gingee Taluk
2. Valarmathi (Age- 30)
W/o muniyan
Melpappampadi village,
Gingee Taluk

...Petitioners/ Accuseds

Vs

1. The Inspector of Police
Nallan pillai petral
Villupuram
Crime No.97 of 2018

...Respondent/ Complainant

2. Selvi
W/o Thirumalai
Pillaiyar Kovil Street,
Melpappampadi village,
Gingee Taluk

...Respondent/ Defacto Complainant

JOINT COMPROMISE MEMO

The Petitioners, the 2nd Respondent / De facto Complainant, and the Victim Girl jointly submit as follows:

1. The above Criminal Original Petition has been filed seeking to quash the criminal proceedings in Spl.S.C. No. 222 of 2019 pending on the file of the learned POCSO Court, Villupuram,
2. The 1st petitioner is the 1st accused and the 2nd petitioner is the 2nd accused in the above case. The 2nd respondent is the de facto complainant and mother of the victim girl. The victim girl is also



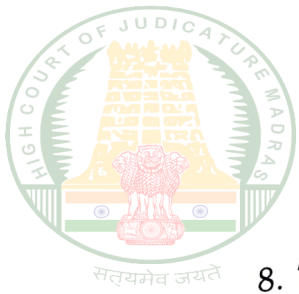
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a consenting and participating party to this compromise memo and is joining herein to expressly place on record her independent consent and present stand.

3. It is submitted that the dispute arose out of personal and family circumstances during the year 2018, when the victim girl and the 1st petitioner were in a relationship based on mutual love and affection. At that point of time, owing to parental concern, emotional distress, and misunderstanding regarding the true nature of the relationship, the complaint came to be lodged, resulting in the registration of Crime No. 97 of 2018 and the subsequent criminal proceedings.
4. It is respectfully submitted that the victim girl had voluntarily accompanied the 1st petitioner, and there was no force, threat, coercion, or wrongful intention involved in the matter. The events occurred in the context of youthful emotions and personal circumstances prevailing at that time.
5. It is further submitted that with the passage of time, the parties have understood the true circumstances of the case, and all misunderstandings have been amicably resolved through the intervention of elders, relatives, and well-wishers.
6. The victim girl has since moved forward in her life, having married another person in the year 2024, and she is now blessed with a child. She is living peacefully with her husband and family. Likewise, the petitioners have also moved on in their lives. There is no subsisting grievance, ill-will, or dispute between any of the parties.
7. The victim girl and the 2nd respondent categorically state that they do not wish to pursue the matter any further and have no objection to the quashing of the criminal proceedings against the petitioners.



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8. The parties submit that this compromise has been entered into voluntarily, out of their own free will, and without any coercion, undue influence, or pressure from any source whatsoever.
9. In view of the amicable settlement and the subsequent developments, continuation of the criminal proceedings would serve no useful purpose and would only cause unnecessary hardship, inconvenience, and mental agony to all parties concerned.
10. Therefore, the parties jointly pray that this Hon'ble Court may be pleased to record this Joint Compromise Memo and pass appropriate orders by allowing the Criminal Original Petition and quashing the proceedings in Spl.S.C. No. 222 of 2019, in the interest of justice and thereby render justice.

Dated at Chennai this the 1st day of June, 2026


1st PETITIONER


2ND PETITIONER


COUNSEL FOR PETITIONERS



VICTIM GIRL



2ND RESPONDENT



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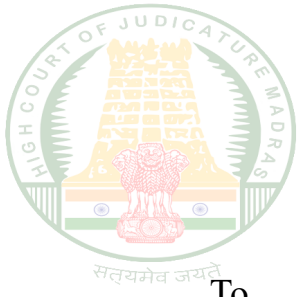
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7.The Apex Court in the case of “*K.Dhandapani vs. State by the Inspector of Police* reported in *2022 SCC Online SC 1056*”, considered the subsequent events and observed that the Court cannot shut its eyes to the ground reality and disturb the happy 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.

8.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the case in Spl.S.C.No.222 of 2019 on the file of the Special Court for Exclusive Trial of POCSO Act Cases, Villupuram, is hereby quashed against the petitioners.

18.06.2026

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation: Yes/No
cse



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To
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- 1.The Sessions Judge,
Special Court for Exclusive Trial of
POCSO Act Cases,
Villupuram.
- 2.The Inspector of Police,
Nallan Pillai Petral Police Station
Villupuram.
- 3.The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

cse

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