



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15703 of 2026

S. Shanmugavel

..Petitioner(s)

Vs

1. The State Represented by
K-11, All Women Police Station,
Koyambedu, Chennai-600 107.
Crime No.152 of 2023
2. S. Thirampathi

..Respondent(s)

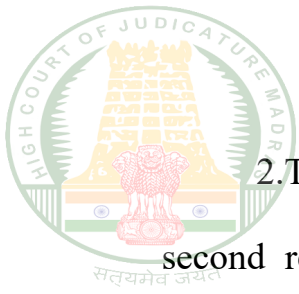
To call for the records and QUASH the proceedings in Spl.S.C. No.179 of 2023 on the file of the Learned Mahila Court, Chennai and pass such orders as may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner(s): Mr.R.Honest

For Respondent(s): Mr.R.Rajasekaran, G.A.(Crl. Side), for R1
M/s.A.Anupriya, for R2

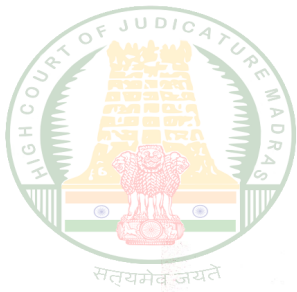
ORDER

The petitioner/accused, who is facing trial in Spl.S.C. No.179 of 2023, before the learned Mahila Court, Chennai, has filed this Criminal Original Petition.



2. The case of the prosecution is that at the time of the occurrence, the second respondent/de facto complainant, aged 17 years, was studying in a School. While the de facto complainant was out for shopping, the petitioner became acquainted with her, which later developed into a love affair. Subsequently, on the promise of marriage, the petitioner had sexual intercourse with her on several occasions. When the de facto complainant developed symptoms of vomiting and general weakness, her mother took her to the Hospital. During the medical examination, the Doctor found that she was pregnant and considering the fact that she was minor, she informed the respondent Police. Subsequently, an FIR was registered. Upon completion of the investigation, a final report was filed and the same has been taken on file in Spl.S.C. No.179 of 2023.

3. The learned counsels for both the petitioner and the second respondent submitted that the petitioner and the second respondent/victim girl were in a love relationship. Though the victim was a minor at the time of the occurrence, now she attained majority. It is further submitted that she has married the petitioner and they are now living together as husband and wife and leading the matrimonial life happily and peacefully. Out of their wedlock, they are blessed with a female child on 10.06.2023. Therefore the de facto complainant is not inclined to proceed the criminal proceedings against the petitioner and prays for quashing of the criminal proceedings. In respect of the same, they filed a Joint Compromise Memo, which is scanned and reproduced hereunder:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Original Jurisdiction)

CRL. OP. No. 15103 of 2026**Against****SPL. S.C. No. 179 of 2023**

(on the file of the Learned Mahila Court, Chennai)

S. SHANMUGAVEL, M/A 23 years,

S/o. Subramanian,

Presently residing at No. 10, 2nd Street,

CDN Nagar, Nerkundram,

Chennai - 600 107.

...Petitioner/Accused

Vs.

1. THE STATE,

Represented by the Inspector of Police,

K-11 All Women Police Station,

Koyambedu, Chennai – 600 107,

(Crime No. 152 of 2023).

...1st Respondent/Complainant**2. S. THIRAMPATHI**, F/A 20 years,

W/o. S. Shanmugavel,

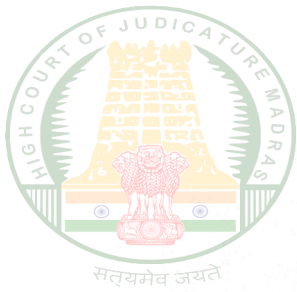
Presently residing at No. 10, 2nd Street,

CDN Nagar, Nerkundram,

Chennai – 600 107.

...2nd Respondent/De-facto Complainant/Victim

JOINT COMPROMISE MEMO FILED BY THE PETITIONER AND
THE 2ND RESPONDENT

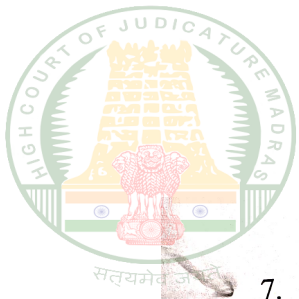


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The Petitioner and the 2nd Respondent respectfully state as follows: -

1. The Petitioner is the Sole Accused in Spl. S.C. No.179 of 2023 pending on the file of the Learned Mahila Court, Chennai, and the 2nd Respondent is the De-facto complainant/Victim therein.
2. It is submitted that the proceedings arose out of a consensual romantic relationship between the Petitioner and the 2nd Respondent, who were known to each other and had developed mutual love and affection.
3. It is submitted that subsequent to the registration of the case and immediately upon the 2nd Respondent attaining majority, the Petitioner and the 2nd Respondent solemnized their marriage and are presently residing together as husband and wife, along with the 2nd Respondent's mother and brother, as one family.
4. It is submitted that out of the consensual relationship between the parties, a female child namely S.T. Sasthriya was born on 10.06.2023, and the parties are jointly nurturing and bringing up the child as a family.
5. It is submitted that the marriage between the parties is subsisting and they are leading a peaceful and harmonious matrimonial life. No dispute whatsoever survives between them.
6. It is submitted that the 2nd Respondent has voluntarily affirmed the settlement and has no objection whatsoever to the proceedings being quashed by this Hon'ble Court.



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7. It is submitted that the present settlement has been arrived at voluntarily, out of the free will and volition of the parties, without any force, coercion, undue influence or compulsion.

8. It is further submitted that continuation of the criminal proceedings would seriously affect the settled family life of the parties and the welfare and future well-being of their minor child.

In the above circumstances, the Petitioner and the 2nd Respondent most respectfully pray that this Hon'ble Court may be pleased to take this Joint Memo on record, call for the records and quash the proceedings in Spl. S.C. No.179 of 2023 on the file of the Learned Mahila Court, Chennai, and pass such further orders as this Hon'ble Court may deem fit and proper and thus render justice.

Dated at Chennai on this 5 day of June 2026

S. Thirumpathi

2ND RESPONDENT

சு. திருமதி

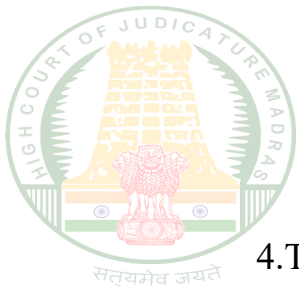
PETITIONER

COUNSEL FOR PETITIONER

Arundhitha A

Enr. No. 8600/2025

Counsel for the Respondent



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4. The learned Govt. Advocate (Crl.side) appearing for the first respondent Police submitted that during the relevant period of the offense, the victim was a minor and now, she attained majority and has given birth to a female child. The petitioner and the victim are living together as husband and wife happily along with their female child.

5. Heard the learned counsels appearing on either side and perused the materials available on record.

6. Today, the petitioner, victim and their girl baby appeared before this Court and their identity is confirmed by the respondent Police

7. During interaction, the second respondent/victim informed that she attained majority, both the petitioner and the second respondent/victim are living as husband and wife and they are blessed with a girl baby. The second respondent/victim further informed that she is not inclined to proceed with the case and filed an affidavit to that effect along with Joint Compromise Memo. Though the offences under POCSO Act are serious and generally non-compoundable, this Court must consider the subsequent events and ground realities to preserve the welfare of the victim and her child. In similar matrix, the Apex Court in ***K.Dhandapani vs. State by the Inspector of Police*** reported



in **2022 SCC Online SC 1056**, 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.179 of 2023 pending on the file of the learned Mahila Court, Chennai, is hereby quashed against the petitioner. Consequently, connected miscellaneous petition is closed.

9. The affidavit and the Joint Compromise Memo filed by the petitioner and the second respondent/de facto complainant for compromising the offences shall form part of the records.

25-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
PVS

To

1. The Mahila Court, Chennai
2. K-11, All Women Police Station,
Koyambedu, Chennai-600 107.
Crime NO.152 of 2023
3. The Public Prosecutor,
High Court, Madras



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CRL OP No. 15703 of 2



M.NIRMAL KUMAR, J.

PVS

CRL OP No. 15703 of 2026

25-06-2026