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CRL OP No. 15942 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15942 of 2026

Guru

..Petitioner(s)

Vs

1.State by, The Inspector of Police,
Cheyyur Police Station,
Chengalpattu District.
Cr.No.347 of 2021.

2.Chithra

3.Sumithra

..Respondent(s)

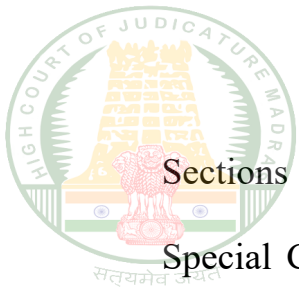
To call for the records in Spl.C.C.No.163/2023 on the file of learned Sessions Judge, Special Court for Exclusive Trial of Cases under Pocso Act, Chengalpattu insofar as these petitioner is concerned and quash the same and pass such order or other orders.

For Petitioner(s): Mr.S.Sasikumar

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

ORDER

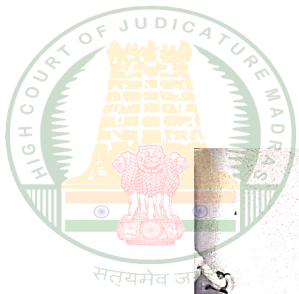
The petitioner/accused, who is facing trial in Spl.C.C.No.163 of 2023 for the offence under Sections 376(3), 376(2)(n), 506(ii), and 354D of IPC and



Sections 4(2) and 6(1) of POCSO Act, before the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu, has filed this Criminal Original Petition.

2.The case of the prosecution is that the petitioner and the third respondent/victim girl were in a relationship. The petitioner had sexual intercourse with her on the promise of marriage and subsequently failed to marry her. It is further alleged that the petitioner abandoned the victim after she became pregnant. Based on the complaint of the second respondent, an FIR was registered. Upon completion of the investigation, a final report was filed and the same has been taken on file in Spl.C.C.No.163 of 2023.

3. The learned counsel for the petitioner submitted that the victim now attained majority and she has married the petitioner. Their marriage was duly registered before the Sub Registrar, Cheyyar on 25.03.2026. They are now living together as husband and wife and leading the matrimonial life happily and peacefully. 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

Crl.O.P.No. 15942 of 2026

In

Spl.C.C.No.163/2023

(On the file of Learned Sessions Judge, Special court for
Exclusive Trial of cases under POCSO Act, Chengalpattu,)

GURU, M/A 31 years,
S/o. Adhikesavan,
No. 40, Adhikesavan Main Road,
Nematham Village, Senkattur,
Chengalpattu District. ...Petitioner/Accused (Single)

-Vs-

1. State by
Inspector of Police,
Cheyyur Police Station,
Chengalpattu District,
(Crime No. 347 of 2021) ...Respondent/Complainant

2. CHITHRA, F/A- 41 years,
W/o. Thangavel,
No. 31, Main Road,
Nemanadam Village, Cheyyur,
Chengalpattu District. ...Respondent/Defacto-Complainant

3. SUMITHRA, F/A-19 years,
W/o. Guru,
No. 31, Main Road,
Nemanadam Village, Cheyyur,
Chengalpattu District. ...Respondent/ Victim

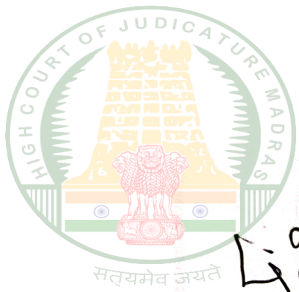
JOINT COMPROMISE MEMO

I, **GURU**, son of Adhikesavan, Hindu, aged about 31 years,
residing at No. 40, Adhikesavan Main Road, Nematham Village,
Senkattur, Chengalpattu District. petitioner/ accused herein.

1) I, **CHITHRA**, wife of Thangavel, Hindu, aged about 41
years, residing at No. 31, Main Road, Nemanadam Village,

T. Gururaj
T. Sumithra

A GURU



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Cheyyur, Chengalpattu District, 2nd Respondent/Defacto-Complainant. 2) I, **SUMITHRA**, wife of Guru, Hindu, aged about 19 years, residing at No. 31, Main Road, Nemanadam Village, Cheyyur, Chengalpattu District, 3rd respondent/victim we do hereby solemnly affirm and sincerely state as follows: -

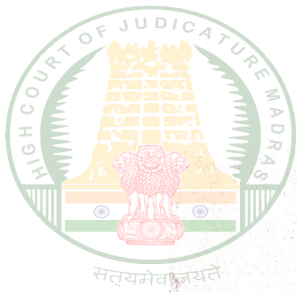
(i) We state that we are the petitioner, the defacto-complainant and victim herein in the above case and well conversant with the facts of the case as such competent to swear this Joint Compromise Memo.

(ii) We state that the Petitioners herein is arrayed as accused in the above case in Crime No. 347 of 2021 against the Petitioner based on a complaint lodged by me for the alleged offences under Sections 417, 376(3), 376(2)(n), and 506(ii) of IPC and Sections 4(2) and 6(1) of the POCSO Act. After completion of investigation, the Respondent Police filed a final report alleging offences under Sections 376(3), 376(2)(n), 506(ii), and 354D of the Indian Penal Code and Sections 4(2) and 6(1) of the POCSO Act. The case is now pending trial in Spl.S.C. No. 163 of 2023 before the Learned Sessions Judge, Special Court for Exclusive Trial of Cases under the POCSO Act, Chengalpattu.

(iii) We state that we are close relatives and belongs to same village. Our families had intended and discussed their marriage from their childhood. Owing to the said family understanding, they both developed mutual affection and remained in a relationship for several years. We subsequently solemnized their marriage and the same was duly registered before the Sub-Registrar, Cheyyur, on 25.03.2026 vide serial No.

T. Sumithra

A. Guru



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HMR/CHEYYUR/10/2026 in the presence of both side parents and have one child.

(iv) We state that the petitioner and 3rd respondent/victim are living amicably and peacefully and to continue to live peacefully and amicably hereafter.

(v) We state that the continuation of the proceedings at the hands of the trial in Spl.S.C. No. 163 of 2023 before the Learned Sessions Judge, Special Court for Exclusive Trial of Cases under the POCSO Act, Chengalpattu may not be conducive for amicable and peaceful co-existence. Now, they are living happily as husband and wife.

We state that it is prayed that this Hon'ble Court may be pleased to accept this Joint Compromise Memo and petitioners to compound the offence and thus render justice.

Dated at Chennai on this the day of June 2026.

T. Chithra

1. CHITHRA

2nd Respondent/
Defacto Complainant

A. GURU

1. GURU

Petitioner/Accused

T. Sumithra

2. SUMITHRA

3rd Respondent/
Victim

ey. g. infasior
Counsel for Petitioner

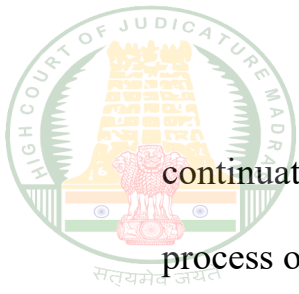


4. The learned Govt. Advocate (Crl.side) appearing for the first respondent Police submitted that the victim has now attained majority and married the petitioner. The petitioner and the victim are living together as husband and wife happily.

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

6. Today, the petitioner, victim and de facto complainant appeared before this Court, their identity is confirmed by the respondent Police

7. During interaction, the 3rd respondent/victim informed that she attained majority, both the petitioner and the 3rd respondent/victim are living as husband and wife. The 3rd 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.

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8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the case in Spl.C.C.No.163 of 2023 pending on the file of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu, is hereby quashed against the petitioner. Consequently, connected miscellaneous petition is closed.

9. The affidavit and the Joint Compromise Memo filed by the petitioners and the second respondent defacto 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 Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu
2. The Inspector of Police,
Cheyyur Police Station,
Chengalpattu District.
Cr.No.347 of 2021.
3. The Public Prosecutor,
High Court, Madras.



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CRL OP No. 15942 of 2



M.NIRMAL KUMAR, J.

PVS

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