



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2026

CORAM:

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL.O.P.No.16110 of 2026

Malini
W/o Thiyagarajan,
No.127, B Block, Gandhi Nagar, Chennai-02

..Petitioner

Vs

1) The State rep by.
The Inspector of Police
W2, All Women police station,
Triplicane, Chennai 600 002
Crime No.01/2022

2) Arun Kumar,
S/o Nagaraj,
No.180, B-Block, Gandhi Nagar,
Pallavan Salai,
Chennai 600 002

..Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to accept this affidavit of Joint Compromise
and quash the criminal proceedings in Spl.SC.No.116/2023 in Crime no.1 of
2022.

For Petitioner:

Ms.L.Meenakshi

For Respondent:

Mr.Mohamed Riyaz,
Government Advocate (Criminal side) For R1



ORDER

WEB COPY This Criminal Original Petition is filed to quash the final report and proceedings in Special S.C.No.116 of 2023 pending on the file of the learned Special Judge for POCSO cases, Mahila Court, Chennai.

2. Upon consideration of the allegations contained in the First Information Report (F.I.R.), it can be seen that the victim child developed a love affair when she was only 16 years of age with the accused and they also went away resulting in a physical relationship. Accordingly, a case was registered under Section 5 read with Sections 6 & 9 of the POCSO Act and the case is pending till date.

3. Today, both the accused as well as the victim child are present before this Court. The victim child has crossed 18 years of age and it is stated that she has married the accused and they are living as husband and wife and are eking out a lawful livelihood. They have also got two children born out of the wedlock. The victim submits that she doesn't want to pursue the allegations and she would pray that this Court to quash the case.

4. Though normally in serious offences such as the one under the POCSO Act, this Court would not go by the version of the prosecutrix of the victim



child alone, on an overall consideration of the facts and circumstances of the case and considering the age of the victim child at the time of the occurrence and the fact that they are now living as husband and wife and the welfare of their two children is also at stake, I am of the view that in the extraordinary and peculiar facts and circumstances of the case, this Court shall exercise the jurisdiction under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Accordingly, the Criminal Original Petition filed stands allowed and the final report and all further proceedings in Special S.C.No.116 of 2023 pending on the file of the learned Special Judge for POCSO cases, Mahilla Court, Chennai stands quashed.

01-07-2026

Neutral Citation: Yes/No

sts

To:

- 1) The learned Special Judge
for POCSO cases,
Mahilla Court, Chennai
- 2) The Inspector of Police
W-2, All Women police station,
Triplicane, Chennai 600 002
[Crime No.01/2022]
- 3) The Public Prosecutor,
High Court of Madras.



WEB COPY

CRL.O.P.No.16110 of 2



D.BHARATHA CHAKRAVARTHY J.

sts

Order made in
CRL.O.P.No.16110 of 2026

Dated:
01-07-2026