



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

**CRL OP No. 16382 of 2026
and CRL.MP.No.10816 of 2026**

- 1.R.Manojkumar
- 2.Saraswathi
- 3.Thangapandi
- 4.Vanitha

..Petitioner(s)

Vs

- 1.State Rep by its, Inspector of Police
Anamalai P.S.,
Coimbatore District.
- 2.K.Saraswathi
Expansion Officer,
Block Development Officer,
Anaimalai, Coimbatore District.
- 3.Sumithra

..Respondent(s)

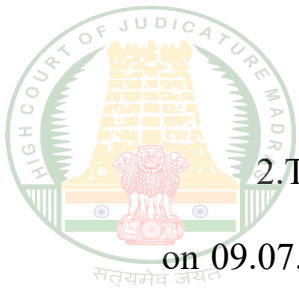
To call for the records relating to the Spl.CC.No.209 of 2024 on the file of the Additional Special Court for Trial of Cases under POCSO act, Coimbatore.

For Petitioner(s): Mr.A.V.Vignesh

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

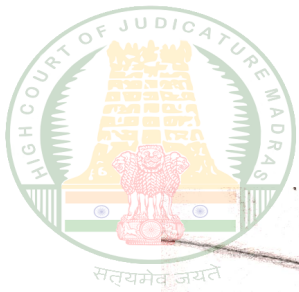
ORDER

The petitioners/accused, who are facing trial in Spl S.C. No. 209 of 2024 for the offence under Sections 344, 155 r/w. 305 of IPC and 5(1), 5(j)(ii), 6 r/w. 16 r/w 17 of POSCO Act and 9 and 10 of Prohibition of Child Marriage Act, before the learned Additional Special Court for Trial of Cases under POCSO Act, Coimbatore, has filed this Criminal Original Petition.



2. The case of the prosecution is that the third respondent/victim was born on 09.07.2007. When the first petitioner visited Tiruppur for his work purpose, a relationship developed between him and the victim, which later turns into a love affair. Subsequently, on 03.09.2023, they got married in the presence of the petitioners 2 to 4. On the same night, they had sexual intercourse. Thereafter, when the victim insisted for a separate matrimonial home, a dispute arose between them. Later, the victim consumed cow dung powder and the first petitioner immediately admitted her in a Private Hospital and thereafter shifted to a Government Hospital. Based on the statement of the victim, an FIR was registered. Upon completion of the investigation, a final report was filed and the same has been taken on file in Spl.CC.No.209 of 2024.

3. The learned counsel for the petitioners submitted that the first petitioner and the 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 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 girl child, currently aged about one year. Therefore the victim is not inclined to proceed the criminal proceedings against the petitioners, who are her in-laws 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. 16382 of 2026

Against

Spl.S.C.No.209/2024

(On the file of the Additional Special Court for Trial of cases
under POCSO Act, Coimbatore)

1. R.Manojkumar M/A - 30
S/o. Late Ramasamy
No.12/A Main Road,
Chinnappampalayam,
Ramachandrapuram,
Anaimalai,
Coimbatore District-642104.
2. Saraswathi, F/A-59
No.12/A Main Road,
Chinnappampalayam,
Ramachandrapuram,
Anaimalai,
Coimbatore District-642104.
3. Thangapandi, M/A - 43
S/o.Lingama Naiker
2/59, East Street, Pannaipatti,
Viralipatti, Nilakottai,
Dindugal District - 624202.
4. Vanitha F/A- 37
W/o. Thangapandi
2/59, East Street, Pannaipatti,
Viralipatti, Nilakottai,
Dindugal District - 624202.

...Petitioners 1 to 4/
Accused 1 to 4

Vs

1. State Rep by. Its
Inspector of Police,
Anamalai P.S,
Coimbatore District

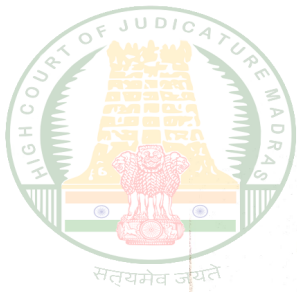
...1st Respondent/Complainant

2. K.Saraswathi
Expansion Officer,
Block Development Officer,
Anaimalai,
Coimbatore District

...2nd Respondent/ Defacto Complainant

m.Sumithra

R. Manoj Kumar. ரமேஷ்
L. சந்திராபாணி வசிகா



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3. Sumithra F/18 8/2
W/o.R.Manojkumar
No.12/A Main Road,
Chinnappampalayam,
Ramachandrapuram,
Anaimalai,
Coimbatore District-642104.

...3rd Respondent/Victim

JOINT COMPROMISE MEMO

1. On based upon a statement given by the 3rd respondent/victim a complaint was given by the 2nd respondent/ de-facto complainant, based on which a case was registered against us in Crime No.120 of 2024 on the file of the 1st respondent for the alleged offences under section 5(l),5(j)(ii) and 6 of POCSO Act and section 9 and 10 of Prohibition of Child Marriage Act. Thereafter, charge sheet was laid against us by altering sections under 344, 115 r/w 305 of IPC and 5(l), 5(j)(ii), 6 r/w 16 r/w 17 of POCSO Act and 9 and 10 of Prohibition of Child Marriage Act. The charge sheet has been culminated into special case in Spl.S.C.No.209 of 2024 before the Principal Sessions Court Exclusively for Trial of POCSO cases, Coimbatore. The said case has been transferred from the Principal Sessions Court Exclusively for Trial of POCSO cases, Coimbatore to the Additional Special Court for Trial of cases under POCSO Act, Coimbatore.

2. Even though the case in Spl.S.C.No.209 of 2024 has been posted for trial before the Additional Special Court for Trial of cases under POCSO Act, Coimbatore, the 3rd respondent/ victim is not interested in continuing the prosecution, since the 3rd respondent/victim is now leading a peaceful and good married life with the 1st petitioner and 2 to 4 petitioners. Now, the 1st petitioner with the 3rd respondent is having a girl child of one year old. Further the petitioners 3 and 4 are the parents of the 3rd respondent and 2nd petitioner is the in-law of the 3rd respondent. So, the continuation of prosecution will ruin the family relationship.

m.Sumithra

R.Manj Kumar.
R. Manoj Kumar
L. Krishnaprasad
வனகிா



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3. Therefore, continuing this prosecution will create needles animosity between the petitioners 1 to 4 and the 3rd respondent/victim. Further, if the petitioner suffers incarceration, the future of the children would become questionable one. The children would be subjected to untold sufferings and misery. Therefore, considering the future relationship, the 3rd respondent/ victim is willing to compromise the entire issue and settle it amicably.

4. Unless the petitioners 1 to 4 is permitted to compound/ compromise/quash the proceedings pending in Spl.C.C.No.209 of 2024 before the Learned Additional Special Court for Trial of cases under POCSO Act, Coimbatore, great prejudice will be caused to the petitioners 1 to 4, hence the 3rd respondent may be permitted to compound/compromise with the petitioners 1 to 4 herein in the above said proceedings.

In these circumstances, it is humbly prayed that this Hon'ble Court may be pleased to accept their Joint Memo of Compromise and quash the proceedings in Spl.C.C.No.209 of 2024 pending before the Additional Special Court for Trial of cases under POCSO Act, Coimbatore and thus render justice.

Dated at Chennai on this the day of April, 2026.

R. Manoj Kumar.
1) PETITIONER/A1 [MANOJ KUMAR]

m. Sumithra
3rd RESPONDENT [SUMITHRA]

R சரசுவதி
2nd PETITIONER/A2 [SARASWATHI]

L. தங்கப்பாண்டி
3) 3RD PETITIONER/A3 [THANGAPANDI]

வனிதா
4) 4th PETITIONER/A4 [VANITHA]

R. N. N.
COUNSEL FOR PETITIONER



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 has attained majority and has given birth to a girl child. The first petitioner and the victim are living together as husband and wife happily along with their child.

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

6. Today, the petitioners, the victim and their girl baby 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 first petitioner and the 3rd respondent/victim are living as husband and wife and they are blessed with a girl baby. 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.

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the case in Spl S.C. No. 209 of 2024 pending on the file of the Additional Special Court for Trial of Cases under POCSO Act, Coimbatore, is hereby quashed. Consequently, connected miscellaneous petition is closed.

9. The affidavit and the Joint Compromise Memo filed by the petitioners and the 3rd respondent/victim 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 Additional Special Court for Trial of Cases under POCSO act, Coimbatore
2. The Inspector of Police
Anamalai P.S.,
Coimbatore District.
3. The Public Prosecutor,
High Court, Madras.



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CRL OP No. 16382 of 2



M.NIRMAL KUMAR, J.

PVS

CRL OP No. 16382 of 2026

25-06-2026