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CRL OP No. 6968 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 27-03-2026**

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**THE HON'BLE MR JUSTICE M. NIRMAL KUMAR**

**CRL OP No. 6968 of 2026**

Sajin Raj

..Petitioner(s)

Vs

1. The State of Tamilnadu Rep by,  
The Inspector of Police,  
W2, All Women Police Station,  
Pallavaram, Chennai.  
Cr.No.15/2024.

2. B.Kalaivani

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 528 BNSS, pleaded to call for the records pertaining to the proceedings in Cr.No.15/2024 on the file of the respondent police and quash the same.

For Petitioner(s):

Mr.J.Lakshmikanthan

For Respondent(s):

Mr.Leonard Arul Joseph Selvam

Additional Public Prosecutor

Assisted by M/s.Harshana.T for R1

**ORDER**

The Criminal Original Petition was filed to quash the First Information Report in Crime No.15 of 2024 on the file of the first respondent police.

2.The case in Cr.No.15 of 2024 was registered against the petitioner for the offence under Section 417, 376, 506 (I) I.P.C. by the respondent Police. The allegation that the petitioner and defacto-complainant were in love relationship for approximately 1 and ½ years, during which they engaged in consensual sexual relationship on multiple occasions. When the defacto-complainant



approached him to marry her, he refused citing his family opposition.

Consequently, the defacto-complainant attempted suicide by consuming 15 Dolo 650 tablets and was subsequently admitted to Government Stanley Hospital. Therefore, the case was registered.

3.The learned counsel for the petitioner submitted that petitioner and defacto-complainant were in love relationship for approximately 1 and ½ years. Now they were married on 27.11.2023 and were blessed with male child on 25.10.2024. To substantiate the same, the learned counsel for the petitioner filed affidavit of the petitioner and consent affidavit of the victim girl and produced the photocopy of the marriage, Birth Certificate of the child and ID proof of the victim and the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent Police submits that based on the complaint given by defacto-complainant, a case was registered in Cr.No.15 of 2024 on 19.08.2024 for the offences under Section 417, 376 and 506 (1) I.P.C. He further submitted that the petitioner allegedly committed sexual assault on the defacto-complainant under the pretext of marriage and subsequently refused to marry her. Hence, the defacto-complainant attempted suicide by consuming 15 Dolo 650 tablets. However, he further submitted that the defacto-complainant and the petitioner were married on 27.11.2023, and a male child was born to them on 25.10.2024.



5. Now, the petitioner and defacto-complainant stated in the affidavit that the defacto-complainant is agreed to withdraw the complaint lodged against the petitioner in Crime No.15 of 2024. The defacto-complainant has confirmed that she is happily living with the petitioner along with her child. Hence, by allowing this petition, no prejudice would be caused to the victim girl and her family members.

6. This Court considered the rival submissions and perused the materials available on record and also the joint compromise memo filed by the petitioner and the defacto-complainant and the consent affidavit filed by the defacto-complainant.

7. Today, the petitioner and the defacto-complainant appeared before this Court. The defacto-complainant confirmed the compromise and settlement arrived with the petitioner and also confirmed the marriage between the defacto-complainant and the petitioner. She also filed consent affidavit and informed before this Court that she is not willing to further prosecute the petitioner, otherwise the peaceful life of the second respondent would get affected.

8. This Court in the case of “*Sabari Vs. Inspector of Police* reported in *2019(2) MLJ CrI.110*”, had observed that during the adolescent age, boys and girls got involved in a relationship, such relationship would be the result of



mutual innocence and biological attraction, which cannot be construed as an unnatural one or alien to between relationship of opposite sexes.

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9. In a similar situation, in the case of “***Kumar @ Tennish Vs. The Inspector of Police, Latheri Police Station, Katpadi Taluk, Vellore and another in Crl.O.P.No.16648 of 2018***”, this Court had quashed the proceedings on the compromise arrived between the accused and defacto complainant.

10. In the light of the above decisions and considering the fact that the continuation of the investigation would affect the peaceful life of the defacto-complainant and the petitioner, this Court is inclined to quash the proceedings in Cr.No.15 of 2024 on the on the file of the respondent, is quashed.

11. Accordingly, this Criminal Original Petition is allowed. The joint compromise memo filed by the petitioner shall form part and parcel of this case.

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**M.NIRMAL KUMAR, J.**

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To

1. The Inspector of Police,  
W2, All Women Police Station,  
Pallavaram, Chennai.
2. The Public Prosecutor  
High Court of Madras.

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