



CRL OP(MD), No.4354 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**( Criminal Jurisdiction )**

**Date : 24.02.2026**

**PRESENT**

**THE HON'BLE MRS JUSTICE S.SRIMATHY**

**CRL OP(MD)No.4354 of 2023**

S.Ponganesh

... Petitioner/ Accused

Vs

1. The State of Tamil Nadu

Represented by The Inspector of Police,  
All Women Police Station,  
Palayamkottai, Tirunelveli.  
(Crime No.12 of 2022)

...1<sup>st</sup> respondent/Complainant

2. XXXXXX (16/F)

XXXXXX

... 2<sup>nd</sup> respondent/Victim

Vijayalakshmi (died)

W/o.Balasundaram

... Defacto complainant

Gayathri, (mother of the victim)

W/o.Premkumar,

Door No.# a/529, Thiru.vi.ka Nagar,

Chdhambara Nagar,

Thoothukudi.



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CRL OP(MD), No.4354 of 2023

For Petitioner : Mr.V.M.Jegadeesha Pandian

For R1 : Mr.A.S.Abul Kalaam Azad  
Government Advocate (Crl.Side)

For R2 : Mr.S.Subramanian

PRAYER :- This Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for the records impugned charge sheet Spl.C.C.No. 128 of 2022 on the file of the Special Court for the Exclusive Trial of POCSO Act Cases, Tirunelveli and quash the same against the petitioner/accused No.2 concerned.

ORDER: The Court made the following order:-

This Criminal Original Petition has been filed to call for the records in Spl.C.C.No.128 of 2022 on the file of the learned Special Court for the Exclusive Trial of POCSO Act cases, Tirunelveli and quash the same.

2. The prosecution case is that the victim, a 10th standard student, is the granddaughter of the de facto complainant and was residing with her grandmother. In the year 2020, the victim had earlier faced sexual



CRL OP(MD), No.4354 of 2023

harassment in her previous school, for which an FIR was registered against one Benny and the matter is under investigation. Subsequently, the victim's then music teacher (Accused No. 1) took her under the pretext of teaching her how to ride a two-wheeler. During that time, Accused No. 1 allegedly misbehaved with the victim, which she later disclosed to her grandmother. Moreover, the petitioner herein is a neighbour of the victim girl. The petitioner and the victim girl had developed a romantic relationship. It is alleged that the petitioner engaged in sexual intercourse with the victim and stayed overnight at her residence on 01.05.2022. Upon noticing the presence of the petitioner, the defacto complainant (the grandmother of the victim) raised an alarm, following which the petitioner left the premises. Subsequently, the defacto complainant lodged a complaint before the 1st respondent, based on which an FIR was registered against the petitioner and another accused. Upon completion of the investigation, a final report was filed in Spl.C.C. No.128 of 2022 before the Special Court for Exclusive Trial of POCSO Act Cases, Tirunelveli, which has since been transferred and renumbered as Spl.C.C. No.238 of 2025 on the file of the learned Mahila Court, Tirunelveli.



CRL OP(MD), No.4354 of 2023

3. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) appearing for the 1<sup>st</sup> respondent and the learned counsel appearing for the defacto complainant.

4. A joint memo of compromise dated 26.01.2026 has been filed by the 2<sup>nd</sup> respondent and the petitioner before this Court and an affidavit dated 20.02.2026 has been filed by the 2<sup>nd</sup> respondent. The petitioner and the second respondent were also present in person before this Court. In order to identify the respective parties, they have also produced the copy of the Aadhaar Card, is made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. It is seen from the Joint memo compromise stated that the victim girl agreed to marry the petitioner and the marriage has been conducted it has been registered on 15.10.2025 and both are living together.

5. Hence, This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.128 of 2022 on the file of the Special Court for the Exclusive Trial of POCSO Act Cases, Tirunelveli, now the



CRL OP(MD), No.4354 of 2023

same has been transferred in Spl.C.c.No.238 of 2025 on the file of the learned Mahila Court, Tirunelveli, is quashed in respect of the petitioner is concerned and joint memo of compromise has been filed and an affidavit filed by the 2<sup>nd</sup> respondent, shall form part and parcel of this order.

(S S Y J)  
24.02.2026

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To

1. The Special Court for the Exclusive Trial of POCSO Act, Cases, Tirunelveli.
2. The learned Mahila Court, Tirunelveli.
3. The Inspector of Police,  
All Women Police Station,  
Palayamkottai, Tirunelveli.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD), No.4354 of 2023

**S.SRIMATHY,J.**

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**ORDER  
IN  
CRL OP(MD)No.4354 of 2023**

**24.02.2026**