



Crl.O.P.(MD).No.10947 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Crl.O.P(MD)No.10947 of 2026

Saravanan

... Petitioner/
Sole Accused

Vs

1. The State of Tamil Nadu
Represented by
The Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District.
(Crime No.6 of 2019)

... 1st Respondent/
Complainant

2.xxxxxxxx
xxxxxxx
xxxxxxx
Kanyakumari District

... 2nd Respondent/
Defacto Complainant

3. Manimegalai

... 3rd Respondent/
Mother of the Victim

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in Spl.S.C.No.81 of 2019 before the learned Special Court for Exclusive Trial of Cases under POCSO Act, Nagercoil, Kanyakumari District and to quash the same as against the petitioner and pass such further or other orders as this Court may deem fit.



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For Petitioner : Mr.V.Balaji Rajaram
For R1 : Mr.B.Arum
Government Advocate (Crl.Side)
For R2 & R3 : Mr.S.Arul

ORDER

The present Criminal Original Petition has been filed by the sole accused in Spl.S.C.No.81 of 2019 on the file of the learned Special Court for Exclusive Trial of Cases under POCSO Act, Nagercoil, Kanyakumari District, seeking to quash the charge sheet wherein the petitioner is charged with the offence under Sections 342 of IPC (under Section 127 of B.N.S) and Section 5(1), 6, 11(5), 12 of the POCSO Act, 2012.

2. The date of birth of the victim girl is 11.02.2007. The occurrence is said to have taken place on 11.03.2019.

3. It is reflected in the charge sheet that the sole accused and the defacto complainant were in love with each other. However, the sexual assault had taken place without her consent. In the Section 164 statement also, the defacto complainant has stated that without her consent the sexual relationship has taken place.



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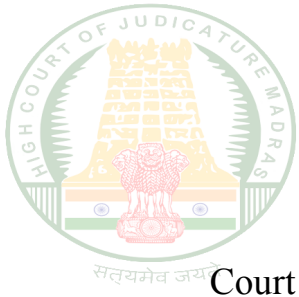
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3. The victim girl had attained majority on 11.02.2025 and thereafter, she had got married to another person. It is also brought to the notice of this Court that the sole accused is also now married to a different lady. In such circumstances, both of them have entered into a joint compromise seeking to quash the present charge sheet.

4. The victim/defacto complainant is present before this Court along with the child and she submits that she is married to a third party and therefore she does not want to prosecute the present case. She further submits that she had voluntarily agreed for quashing of the charge sheet.

5. This Court is of the considered opinion that the sole accused as well as the defacto complainant have entered into relationship, who are originally in love with each other, had fallen apart due to difference in caste and they have chosen to marry two different persons. Now they want to lead their own life and they do not want to continue with the present prosecution.

6. Considering the marital life of both the parties, especially the victim girl who had chosen to marry a third party and she has begotten a child, this



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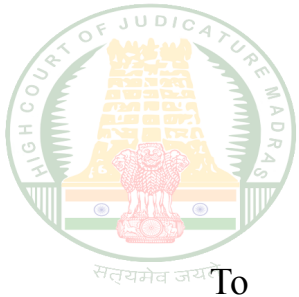
Court is of the considered opinion that continuation of the criminal proceedings would be a harassment to both the parties.

7. In view of the above said facts, the charge sheet in Spl.S.C.No.81 of 2019 on the file of the learned Special Court for Exclusive Trial of Cases under POCSO Act, Nagercoil, Kanyakumari District, is hereby quashed.

8. Accordingly, this Criminal Original Petition stands allowed. The joint compromise memo shall form part and parcel of the order.

12.06.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi



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To

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1. The Special Court for Exclusive Trial of Cases under POCSO Act,
Nagercoil,
Kanyakumari District
2. The Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR,J.

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