



Crl.OP.(MD)No.1023 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.06.2026

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.1023 of 2026

and

Crl.M.P(MD)No.8856 of 2026

1.M.Sathish Kumar

2.K.Mani

3.A.Adaikki

4.Mrs.Dr.J.Boopathy

... Petitioners / Accused

Vs

1.The State of Tamil Nadu
Rep.by the Inspector of Police
All Women Police Station
Thirumayam
Pudukkottai
Crime No.9 of 2024

...Respondent / Complainant

2.S.Maha

...Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to Spl.S.C.No.10 of 2025 on the file of Mahila Court, Pudukottai and quash the same.

For Petitioners : Mr.S.Deenadhayalan
for Mr.K.R.Kishore Ram

For Respondents : Mr.B.Arun
Government Advocate (Crl.side) for R1

:Mr.M.Karunanithi
Counsel for State of Tamil Nadu(Crl.side) for



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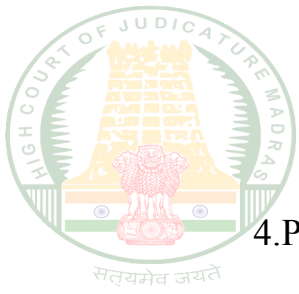
ORDER

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The present petition has been filed by the accused in Spl.S.C.No.10 of 2025 on the file of Mahila Court, Pudukottai seeking to quash the charge sheet wherein he was charged with the offences under Sections 5(l), 5(j)(ii), 6(1), 17, 21(1) & 5(n) of Protection of Child From Sexual Offences Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006 and Section 506(i) of I.P.C.

2.A perusal of the charge sheet reveals that the first petitioner is said to have sexually assaulted the victim girl under the promise of marriage. The date of birth of the victim child is 04.07.2006. The alleged incident is said to have taken place on 20.04.2020. The victim girl had attained the age of majority on 04.07.2024. Thereafter, the present F.I.R has been registered on 10.09.2024.

3.According to the petitioners, the first petitioner was ready and willing to marry the victim on her attaining the age of majority. However, citing customary practices prevailing in the village, an objection was raised by the villagers with regard to the marriage between the first petitioner and the victim girl. Since there was agitation on the part of the villagers citing customary practices, the first petitioner had made an arrangement for marriage with another girl. At this circumstances, an F.I.R. has been registered on 10.09.2024.



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4.Pending trial, the victim girl who had attained majority had compromised the matter with the petitioners herein who are the alleged aggressors and his parents and the Doctor who is said to have treated the victim girl and the compromise memo has also been filed before this Court.

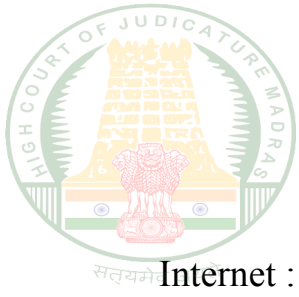
5.This Court had directed the victim girl who had attained majority to appear before this Court in Chamber hearing. On her interaction, this Court finds that since there is an objection in the Village citing customary practice, she is not willing to continue the prosecution and she wants the charge sheet to be quashed. She has further stated that she is intending to marry some other boy with the consent of her parents.

6.In such view of the matter, this Court is of the considered opinion that continuation of the criminal proceedings would not only affect the marital life of the first petitioner, but also the marital life of the second respondent.

7.Considering the views and wishes expressed by the victim girl, unless the charge sheet is quashed, would only result in abuse of process of law.

8.In view of the above said facts, the charge sheet in Spl.S.C.No.10 of 2025 on the file of Mahila Court, Pudukottai stands quashed. This Criminal Original Petition stands allowed. Memo of compromise shall form part of this order. Consequently, connected miscellaneous petition is closed.

18.06.2026.



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Internet : Yes/No
Index : Yes/No
NCC : Yes/No
msa

To

1. The Mahila Court, Pudukottai

2. The Inspector of Police
All Women Police Station
Thirumayam
Pudukkottai
Crime No.9 of 2024

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR, J.

msa

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