



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CrI.O.P. (MD)No.4448 of 2020

WEB COPY

1. Ayyam Perumal
2. Kanthasamy
3. Esakkiammal
4. Chandran
5. Chithra

... Petitioners/Accused

versus

1. The Inspector of Police,
All Women Police Station,
Thiruchendur,
Thoothukudi District.

2. The Rural Welfare Officer,
Alwarthirunagari,
Thentiruperi (E)
Thoothukudi District.

3. Kanaga Lakshmi

... Respondents

Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, to quash the proceedings in S.S.C.No.79 of 2018 on the file of the District Mahalir Neethimandram, Thoothukudi.

For Petitioners : Mr.S.Muthumalairaja
For R1 : Mr.P.Kottaichamy,
Government Advocate (CrI. Side)

ORDER

The petitioners are accused in Spl.S.C.No.79 of 2018 on the file of the District Mahalir Neethimandram, Thoothukudi.

2. The learned Government Advocate (CrI. Side) submits that the case in Spl.S.C.No.79 of 2018 is now transferred and renumbered as Spl.S.C.No.206 of 2019 and the same is pending before the Special Court for POCSO Act cases, Tuticorin.

3. The case of the prosecution is that while the third respondent was being 17 years old, the petitioners 2 to 5 arranged her marriage with the first petitioner. The marriage was solemnized on 30.10.2017 at Sankaraswamigal Temple, Thiruchendur, as per Hindu Rights and Customs. Hence, the complaint.



4. The learned counsel appearing for the petitioners submits that the first petitioner and the third respondent loved each other and since the third respondent became pregnant, their parents arranged marriage between them. After the marriage, there was a misunderstanding between them, due to which, the third respondent gave a complaint before the second respondent. Hence, a case has been registered against the petitioners in Crime No.1 of 2018 for the offence punishable under Sections 9, 10 and 11 of Prohibition of Child Marriage Act, 2006.

5. The learned counsel for the petitioners further submits that the petitioners are facing this allegation for the past three years. Now, the issue has been amicably settled between the parties. Therefore, he prays for quashing the complaint registered against the petitioners.

6. This Court is not inclined to quash the complaint pending against the petitioners.

7. However, considering the fact that the issue has been amicably settled between the parties, this Court directs the trial Court to expedite the trial and to complete the same within a period of four weeks from the date of receipt of a copy of this order. The respondent Police shall ensure that all the witnesses are produced and the trial is completed within a period of four weeks.

8. Accordingly, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS-II)

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/ /2022

Sub Assistant Registrar(CS)

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To

1. The Special Court for POCSO offences, Tuticorin.
2. The District Mahalir Neethimandram, Thoothukudi.
3. The Inspector of Police, All Women Police Station, Thiruchendur, Thoothukudi District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

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TR(25.03.2022) 2P 5C