



Crl.R.C.No.1088 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.1088 of 2025 and
Crl.MP.Nos.13874 & 13875 of 2025

1.Venkatesh
2.Prakasam
3.Rajeswari

..... Petitioners

Vs

1.The State rep. by its,
Inspector of Police
A.W.P.S.,
Dharmapuri District
(crime No.36 of 2022)
2.Keerthana

..... Respondents

PRAYER:

Criminal Revision Case filed under Section 438 r/w 442 of BNSS, 2023,
praying to call for records and set aside the order of issue of summons dated
24.03.2025 on the file of the Sessions Judge, Fast Track Mahila Court,
Dharmapuri in Spl.SC.No.79 of 2025.

For Petitioners : M/s.M.V.Priyadharshini

For Respondents



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For R1 : Mr.A.Gopinath,
Government Advocate(crl.side)

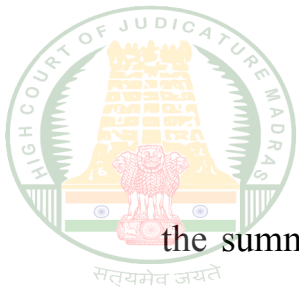
ORDER

This Criminal Revision Case has been filed challenging the summons dated 24.03.2025 issued by the trial court in Spl.SC.No.79 of 2025 on the file of the Sessions Judge, Fast Track Mahila Court, Dharmapuri.

2. The case of the prosecution is that when the victim girl was minor, the first petitioner fell in love with her and they had physical relationship under the pretext of marriage. Thereafter, they got married and gave birth to a child. However, on a complaint, FIR was registered in crime No.36 of 2022 for the offences punishable under Sections 5(l), 5(j)(2), 6(1), 16 & 17 of POCSO Act and Sections 9, 10 & 11 of Prohibition of Child Marriage Act. After completion of investigation, final report was filed and the same was taken cognizance by the trial court. After taking cognizance, the trial court issued the impugned summons.

3. The learned counsel for the petitioner would submit that the victim girl already attained majority and she is happily living with her husband i.e. the first petitioner.

4. In view of the above submission, this Court is inclined to set aside



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the summons issued to all the accused persons on certain condition, since the victim girl attained majority and she is happily living with her husband i.e. the first petitioner. Accordingly, the entire summons in Spl.SC.No.79 of 2025 issued to all the accused persons are set aside. The trial court is directed to close all the proceedings in Spl.SC.No.79 of 2025 on condition that the first petitioner shall register his marriage with the victim girl i.e. the second respondent and produce the marriage certificate before the first respondent within a period of four weeks from the date of receipt of copy of this order, failing which this order shall automatically stand cancelled and thereafter, the trial court shall proceed with the trial in Spl.SC.No.79 of 2025.

5. In the result, this criminal revision case stands allowed. Consequently, connected miscellaneous petitions are closed.

28.07.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
lok

G.K.ILANTHIRAIYAN, J.



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To
1.The Sessions Judge, Fast Track Mahila Court, Dharmapuri

2.Inspector of Police
A.W.P.S.,
Dharmapuri District

3. The Public Prosecutor,
High Court, Madras.

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