



CrI.O.P.No.21201 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 29.07.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.21201 of 2025 and
CrI.M.P.Nos.14563 and 14564 of 2025

Raman @ Ramu

... Petitioner

Vs.

1. State Rep. by
Inspector of Police
Chennimalai Police Station
Erode District
(Crime No.235 of 2022)

2. XXXXXXXXX
W/o.XXXXXXXX
Chennimalai
Erode District

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to call for the records and quash the charge sheet in Spl.S.C.No.28 of 2024 on the file of the, Sessions Judge-Fast Track Mahila Court, Erode.



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For Petitioner : Mr.C.S.Saravanan

For 1st Respondent : Dr.C.E.Pratap
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioner to quash the charge sheet in Spl.S.C.No.28 of 2024 on the file of the Fast Track Mahila Court, Erode.

2. The learned counsel for the petitioner submitted that the petitioner is facing trial in Spl.S.C.No.28 of 2024 on the file of the Fast Track Mahila Court, Erode for the offences under Section 366 IPC, Sections 5(l), 5(j)(ii) and 6 of POCSO Act and Section 9 of Prohibition of Child Marriage Act. According to the prosecution, the petitioner, knowing well that the victim was a minor, induced her and under the guise of marrying her, kidnapped and forcefully married her and also committed aggravated penetrative sexual assault on the victim. Due to which, the victim got pregnant and also delivered



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a baby. The contention of the petitioner is that the petitioner and the victim girl

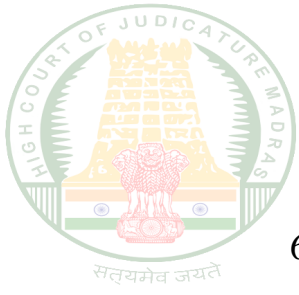
were in love with each other and only on the insistence of the victim girl to elope and get married, the petitioner had taken the victim girl. Now the victim girl has attained majority and they have also got married and living together. Hence, he prays to quash the case against the petitioner in Spl.S.C.No.28 of 2024.

3. Heard and perused the materials available on record.

4. It is seen from the records that on the date of occurrence, i.e. on 26.07.2022, the victim was a child under the definition of POCSO Act. Therefore, the subsequent marriage will not dissolve the offence committed on the victim when she was a child under the definition of POCSO Act. Therefore, the grounds taken by the petitioner for quashing the case in Spl.S.C.No.28 of 2024, is not legally sustainable.

5. Accordingly, this Criminal Original Petition is dismissed.

Consequently, the connected Miscellaneous Petitions are closed.



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6. However, the petitioner is at liberty to work out his remedy before the

trial Court in the manner known to law.

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

1. The Sessions Judge
Fast Track Mahila Court, Erode.

2. The Inspector of Police
Chennimalai Police Station
Erode District

3. The Public Prosecutor
High Court of Madras, Chennai.



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P.VELMURUGAN,J.

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