



Crl.O.P.No.22340 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2025

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CORAM
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.No.22340 of 2025

and

Crl.M.P.No.15247 of 2025

Vijayakumar

...Petitioner

Vs.

1. State by Inspector of Police,
Sirupakkam Police Station,
Cuddalore District.
Crime No.161 of 2021.

2. The District Social Welfare Officer,
Cuddalore District,
Cuddalore.

...Respondents

Petition filed under Section 528 of BNSS, 2023 relating to the First Information Report registered in Crime No.161 of 2021 on the file of the Inspector of Police, Sirupakkam Police Station, Cuddalore District / first respondent herein and quash the same.

For Petitioner : Mr.C.Munusamy

For Respondents : Dr.C.E.Pratap, GA(Crl.Side)

ORDER

The prayer in this Criminal Original Petition is to call for the First Information Report in Crime No.161 of 2021 and to quash the same.



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WEB COPY 2. Heard Mr.C.Munusamy, the learned counsel appearing on behalf of the petitioner and perused the material records of the case and the learned Government Advocate (Crl. side) appearing on behalf of the respondents.

3. After considering the entire materials on record, I am of the view that, this First Information Report is liable to be quashed for the following facts.

(i) Even though it is erroneously mentioned by the victim child that the marriage was performed in the said Temple at about noon on 27.07.2021, it turned out to be incorrect and actually it is can be seen that the victim child subsequently turned major and got married to one Jeeva and the said Vijay Kumar also got married to one Sumitra and both of them are living in their respective matrimonial homes along with their spouses. It is the consistent stand of both the families that no such marriage took place and therefore, if such an erroneous view as if the marriage has been performed between the victim child and the said person Vijay Kumar is now taken as true, this will only further create cloud over the valid marriages also. Therefore, it is just and necessary in



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the interest of justice to hold that the fact has been erroneously mentioned by the victim child and is recorded in the First Information Report.

(ii) The First Information Report also reads as if it is registered for the offences under Sections 4 and 6 of the Prohibition of Child Marriage Act, 2006 and it can be seen that Sections 4 and 6 are not relating to any offences.

4. For the above reasons, the Criminal Original petition stands allowed and the FIR in Crime No.161 of 2021 shall stand quashed. Consequently, connected miscellaneous petition is closed.

08.08.2025

RAP

NCC : Yes / No



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D.BHARATHA CHAKRAVARTHY.J.,

RAP

To

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