



Criminal Appeal No.1720 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2025

CORAM :

THE HONOURABLE MRS. JUSTICE T.V. THAMILSELVI

Criminal Appeal No.1720 of 2025

K.Parthasarathy,
S/o.Karunanithi

... Appellant

Vs.

State Rep. By,
Inspector of Police,
All Women Police Station,
Mangalamedu, Perambalur District.
(Cr.No.09/2020)

...Respondent

Prayer: Criminal Appeal filed under Section 415 of B.N.S.S., to set aside the sentence and conviction imposed against the appellant by the Learned Sessions Judge, Mahila Court, Perambalur in Spl.S.C.No.3 of 2021 dated 19.06.2025 and allow the appeal.

For Petitioner : Mr.M.Vijaya Ragavan

For Respondents : Mr.V.Meganathan,
Government Advocate [Crl.Side]

JUDGMENT

This Criminal Appeal has been filed to to set aside the sentence and conviction imposed against the appellant by the Learned Sessions Judge, Mahila Court, Perambalur in Spl.S.C.No.3 of 2021 dated



19.06.2025 and allow the appeal.

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2. Today, when the case is taken up for hearing, the appellant and the victim girl along with her mother, child and their counsel were also present before this Court.

3. It is the case of the appellant that on 23.06.2019, the appellant came to the victim's house and committed penetrative sexual assault against her, as a result of which the victim girl got pregnant. Hence, the appellant's father and the victim girl parents were decided to perform their marriage. But, at that time, the victim girl was aged 13 years only. Hence, the Legal Probational Officer, District Child Protection Unit, Perambalur District has lodged a complaint. Based on the complaint, the appellant was convicted by the learned Sessions Judge, Mahila Court, Perambalur in Spl.S.C.No.3 of 2021.

4. The learned counsel for the appellant would submit that the victim girl has now attained majority and the child is aged 6 years. He would further submit that the appellant and the victim girl are willing to live together. Hence, the appellant, victim girl and the victim girl's



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mother have filed separate affidavits to that effect.

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5. Since the parties are willing to live together, there is no necessity to continue the penal proceedings. Relying upon the ratio laid down by the Hon'ble Supreme Court in the case of ***Gian Singh v. State of Punjab and Another, reported in (2012) 10 SCC 303***, this Court finds that there is no need to keep the case pending when the parties have amicably settled the issue.

6. Accordingly, the affidavits filed by the appellant, victim girl and the victim girl's mother are taken on record and the case in Spl.S.C.No.3 of 2021 is hereby quashed and the appellant is acquitted of all charges. The appellant is permitted to withdraw the amount of Rs.50,000/- deposited by him to the credit of this case pursuant to the orders of this Court dated 07.11.2025.

7. In view of the above, this Criminal Appeal is allowed.

25.11.2025

Index : Yes/No
Speaking/Non Speaking order
3/5



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Neutral Citation:Yes/No
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T.V.THAMILSELVI, J.

mp

To

1. The Learned Sessions Judge,
Mahila Court, Perambalur.
- 2.The Section Officer,
VR-Section, High Court of Madras.

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