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CRL OP No. 31370 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 31370 of 2025

1. NIVAS

S/O Karuppaiaya, Post Office Street,
Varanasi Village and Post, Ariyalur
Taluk and District.

2. S.Mathiyalagan

S/O Subramaniam, North Street,
Elanthaikudam Village, Ariyalur Taluk
and District.

3. M.Selvarani

Mathiyalagan, North Street,
Elanthaikudam Village, Ariyalur Taluk
and District.

4. K.Sudha

W/O Karuppaiaya, Post Office Street,
Varanasi Village and Post, Ariyalur
Taluk and District.

5. Karuppaiya

W/O Kaliyan, Post Office Street,
Varanasi Village and Post, Ariyalur
Taluk and District.

Petitioner(s)



Vs

1. The Inspector Of Police
AWPS, Ariyalur, Ariyalur District.

2.Revathi
The Social Welfare, Extension Officer,
Thirumanur Union, Ariyalur Taluk and
District.

3.Anusha
D/O Mathiyalagan, North Street,
Elanthaikudam Village, Ariyalur Taluk
and District.

Respondent(s)

PRAYER: The criminal original petition filed under Section 482 of Criminal Procedure Code under Section 528 of BNS to call for the records in P.R.C.No.92 of 2025 pending on the file of the Additional Mahila Court, Ariyalur and quash the same and pass such further orders.

For Petitioner(s): Mr.A.V.Raja

For Respondent(s): Mr.R.Vinothraja
Govt. Advocate (Crl.Side) for R1

ORDER

This Criminal Original Petition has been filed to quash P.R.C..No.92 of 2025, pending on the file of the Additional Mahila Court, Ariyalur, for the offences under section 11 of the Prohibition of Child Marriage Act, 2006.



2.The allegation against the accused in the Final Report is that the accused persons, namely Nivas and his parents, along with the 3rd respondent's parents, had arranged to conduct a child marriage on 03.07.2024 fully knowing that the third respondent was below 18 years of age.

3.The learned counsel for the petitioners submitted that though only pre-marriage arrangements were made, it was mistakenly understood as marriage. He further submitted that other than the offence under Section 11 of the Prohibition of The Child Marriage Act, 2006, no other section of offence has been included. The parties have compromised. The third respondent/minor girl has attained majority and has married someone else; hence, her marital life has not been affected.

4.The petitioners have filed an affidavit and they, along with the third respondent, have filed a Joint Compromise Memo, wherein, it has been stated that the petitioners and the third respondent, on the advice of their elders, have amicably settled the issue between themselves and hence, seek to quash the case



in P.R.C.No.92 of 2025.

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5. Ms. R. Renugadevi, WHC-275, AWPS – Ariyalur Police Station, Ariyalur, was present before this Court and she informed this Court that the victim and the petitioners had approached her and informed that since they have amicably settled the dispute between them, they do not want to proceed further with the criminal proceedings.

6. The victim girl was also present before this Court at the time of hearing. This Court enquired the victim girl and she stated that they had amicably settled the dispute between themselves and she is not willing to proceed with the criminal proceedings and seeks to quash the same.

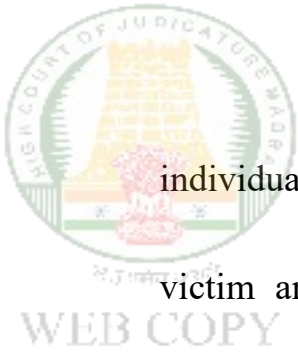
7. The learned Government Advocate (Crl.Side) appearing on behalf of the first respondent submitted that though the parties entered into a compromise while this case is pending, this Court, taking into account the seriousness of the



offence, has to consider the issue as to whether an offence of this nature can be quashed on the ground of compromise between parties.

8. The main issue that requires the consideration of this Court is as to whether this Court can quash the criminal proceedings involving non-compoundable offences pending against the petitioners. The Hon'ble Supreme Court in the case of *Parbathbhai Aahir @ Parbathbhai Vs. State of Gujarat*, reported in (2017) 9 SCC 641, has given sufficient guidelines that must be taken into consideration by this Court while exercising its jurisdiction under Section 482 of Cr.P.C, to quash non-compoundable offences. One very important test that has been laid down is that the Court must necessarily examine if the crime in question is purely individual in nature or a crime against the society with overriding public interest. The Hon'ble Supreme Court has held that offences against the society with overriding public interest even if they get settled between the parties, cannot be quashed by this Court.

9. In the present case, the offences in question are purely



individual/personal in nature. It involves dispute between the petitioners and the victim and quashing the proceedings will not affect any overriding public interest in this case and no useful purpose will be served in continuing with the criminal proceedings.

10. In view of the above, this Court is inclined to quash the case in P.R.C.No.92 of 2025, pending on the file of the learned Additional Mahila Court, Ariyalur, in exercise of its jurisdiction under Section 482 of Cr.P.C.

11. Accordingly, this Criminal Original Petition is allowed and the case in P.R.C.No.92 of 2025, pending on the file of the learned Additional Mahila Court, Ariyalur, is quashed on condition that the petitioners shall pay a sum of Rs.10,000/- jointly (Rupees Ten Thousand only) as costs to the Tamil Nadu State Legal Services Authority (TNSLSA), High Court Campus, Chennai 600 104, within a period of two (2) weeks from the date of receipt of a copy of this order. The affidavit and the Joint Compromise Memo filed by the petitioners and the third respondent for compromising the offence shall form part of the



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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

sms

To

1. The Inspector Of Police
AWPS, Ariyalur District.

2. Revathi
The Social Welfare, Extension Officer,
Thirumanur Union, Ariyalur Taluk and
District.

3. Anusha
D/O Mathiyalagan, North Street,
Elanthaikudam Village, Ariyalur Taluk
and District.

4. The Public Prosecutor
High Court, Madras.



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A.D.JAGADISH CHANDIRA J.

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