



Crl.O.P.(MD)No.2238 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.2238 of 2025

and

Crl.M.P(MD).No.1564 of 2025

1.Karuppusamy

2.Marimuthu

3.Balmani @ Palmani

4.Gurusamy

5.Vanapetchi

... Petitioners/Accused 1 to 5

Vs.

1.The State of Tamil Nadu,
Rep. by the Inspector of Police,
All Women Police Station,
Palani,
Dindigul District.
Crime No.17/2023.

... 1st Respondent/Complainant

2.Muthammal,
Social Welfare Officer,
Palani,
Dindigul District.

...2nd Respondent/ Defacto Complainant

Prayer: Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the entire records pertaining to the case in Spl.S.C.No.23 of 2024 on the



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file of the learned Mahila Court, Dindigul, Dindigul District and quash the same.

For Petitioners : Mr.S.Kishore Kumar
For R-1 : Mr.K.Sanjai Gandhi
Government Advocate
For victim : Mr.J.Sitharth

ORDER

The petitioners seek to quash the impugned final report filed in Spl.S.C.No.23 of 2024 on the file of the Mahila Court, Dindigul District for the offences under Section 9 of the Prohibition of Child Marriage Act, 2006, Sections 5(l), 5(j)(ii), 6 and 21(1) of the POCSO Act, 2012.

2. The allegation in the final report is that the first petitioner seduced the victim and had sexual intercourse with her, when she was aged about 15 years, as a result of which, the victim became pregnant and that the petitioners 2 to 5, after knowing the fact that the victim became pregnant, concealed the said fact and thus, committed the aforesaid offences. The prosecution was initiated on the complaint given by the Social Welfare Officer, Palani, Dindigul District.

3. The learned counsel for the petitioners and the learned counsel for the victim would submit that the first petitioner had a love affair with the victim, whose Date of Birth is 11.09.2007; that now she attained majority; and that the



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first petitioner and the victim got married and consequently registered their marriage on 24.09.2025 under the Tamil Nadu Registration of Marriage Act, 2009. The marriage certificate has been produced before this Court.

4. The victim girl is present before this Court in person and identified by M/s.R.Mariamammal, Special Sub Inspector of Police, All Women Police Station, Palani, Dindigul District. The victim girl confirms her marriage with the first petitioner and states that a child was born out of the wedlock. The parties have filed a joint compromise memo dated 07.10.2025.

5. The Hon'ble Supreme Court in the case of ***Mahesh Mukund Patel Vs. State of U.P. and others*** reported in ***2025 SCC Online SC 614*** had held that in a case of this nature, where the victim, after attaining majority has married the accused and their marriage is also registered, no useful purpose would be served by continuing the prosecution and that it would cause undue hardship to all the parties concerned.

6. Considering the fact that the first petitioner had married the victim girl, who has now attained majority and marriage has been registered and in view of the aforesaid observation made by the Hon'ble Supreme Court in ***Mahesh***



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Mukund's case cited supra, this Court is of the view that no useful purpose would be served by continuing the prosecution. Accordingly, the impugned final report in Spl.S.C.No.23 of 2024 on the file of the Mahila Court, Dindigul District is quashed. The joint compromise memo dated 07.10.2025 shall form part of this order. The petitioners shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) as costs to the Mediation and Conciliation Centre attached to this Bench forthwith and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

7. In the result, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

23.10.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm

To

1.The Mahila Court,
Dindigul.

2.The Inspector of Police,
All Women Police Station,
Palani,
Dindigul District.



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3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Lm

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