



Crl.O.P.(MD)No.3893 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.3893 of 2025

and

Crl.M.P(MD) Nos.2714 and 2715 of 2025

1. Nandhakumar

2. Periyasamy

3. Peirya Nayagi

4. Kammaduchi

... Petitioners/Accused Nos.1 to 4

Vs.

1.The State of Tamilnadu, Rep. by
The Inspector of Police,
All Women Police Station,
Palani, Dindigul District.
(Crime No.13 of 2024).

...1st Respondent/Complainant

2.XXXX

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for records pertaining to the charge sheet in Spl.S.C.No.102 of 2024 on the file of the learned Special Court for Exclusive trial of cases under POCSO Act, Dindigul District and quash the same.



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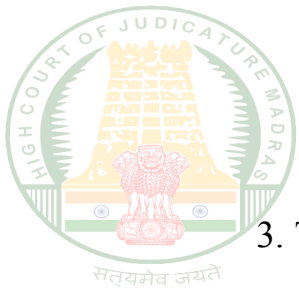
Crl.O.P.(MD)No.3893 of 2025

For Petitioner : Mr.S.Kishore Kumar
For R-1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)
For R-2 : Mr.N.AravindKanna

ORDER

This petition has been filed to quash the impugned Charge Sheet filed in Spl.S.C.No.102 of 2024 on the file of the Special Court for Exclusive Trial of cases under POCSO Act, Dindigul for the offences punishable under Section 6, 5(l), 5(j), (ii), 17 and 21 (1) of POCSO Act and 506(i) of IPC.

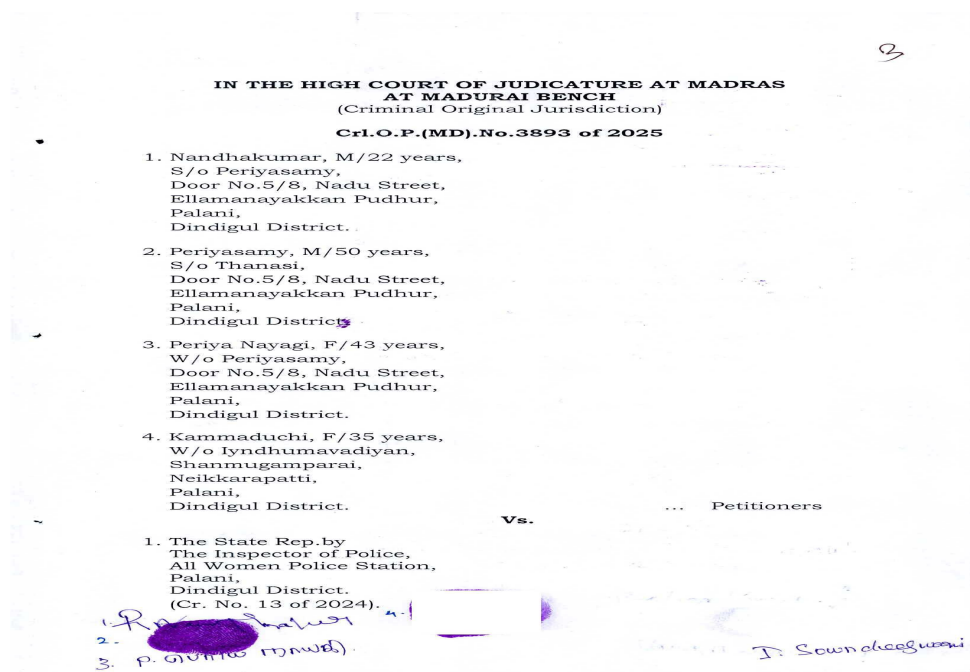
2. The allegation against the petitioners is that the first petitioner induced the victim and had sexual intercourse with her, when she was aged about 16 years, as a result of which, the victim became pregnant; that the petitioners No. 2 to 4, who knew that the victim became pregnant, concealed the said fact; that they tried to solemnize the marriage between the the first petitioner and the second respondent, though they knew that the victim girl was only 16 years old; and thus they committed the aforesaid offences. The FIR was instituted on the complaint given the second respondent/defacto-complainant.



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3. The learned counsel for the petitioners and the learned counsel for the second respondent/victim would submit that the first petitioner had a love affair with the victim, whose Date of Birth is 13.07.2007; that now she has become a major; and that the first petitioner and the victim got married and consequently registered the marriage on 15.09.2025 under the Hindu Marriage Act. The marriage certificate has been produced before this Court.

4. Mrs.R.Mariamammal, Women Special Sub Inspector, AWPS, Palani, Dindigul District is present before this Court in person and confirms that the first petitioner and the victim girl got married and a child is also born out of the wedlock. The parties have filed a joint compromise memo, dated 18.09.2025 and the scanned copy of the compromise memo reads as follows:





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2. Soundeeswari, F/17 Years,
D/o. Iyndhumavadiyan,
Shanmugamparai,
Neikkarapatti,
Palani,
Dindigul District.

... Respondents

JOINT COMPROMISE MEMO

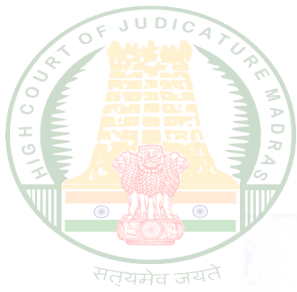
The petitioners submit that there is the 1st petitioner and the victim Soundeeswari D/o.Indhumavadiyan residing at 638, Shanmugamparai, Perumalputhur, periammapatty, Palani, Dindigul District their marriage was solemnized on 12.09.2025 in 1st petitioner's residential house 5/8, Nadu Street, Ellamanaikkanputhur, A.Kalayamputhur, Palani Taluk, Dindigul District. The same has been registered on 15.09.2025 on the file of Join-II Sub Registrar Office, Palani.

The Petitioners submit that prior to this marriage the petitioner and the victim girl are also close relatives. The victim girl is maternal uncle's daughter of the 1st petitioner. Originally the marriage took place six months before attaining the age of majority of the victim girl. She has already blessed with a child. The 1st petitioner and his family members are taking care of the victim girl and her child very happily.

Since the matter has been compromise entered between the parties in crime No.13 of 2024 pending investigation before the 1st respondent Police, the 2nd respondent has no objection to quash the pending proceedings and thus render justice.

1. R. Vaidhyanathan
2. [Redacted]
3. P. [Redacted]

I. Soundeeswari



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Therefore it is prayed that this Hon'ble court may be pleased to accept the compromise entered between the parties in Spl.S.C. No. 102 of 2024 on the file of the learned Special Court for exclusive trial of cases under POCSO ACT, Dindugul District in Crime No.13 of 2024 on the file of 2nd respondent police and quash the proceedings and thus render justice.

Dated at Madurai on this the 18th day of September 2025.

Petitioner

1) R. Senthil Kumar

2)

3) R. Senthil Kumar

4)

Counsel for Petitioner

2nd Respondent

I. Soundeswarar

Counsel for 2nd Respondent



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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 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, if the proceedings are not quashed.

6. Considering the fact that the first petitioner had married the victim girl, the marriage has been registered and in view of the aforesaid observation made by the ***Hon'ble Supreme Court in Mahesh Mukund's case cited supra***, this Court is of the view that no useful purpose would be served by allowing the proceedings to continue. Hence, the impugned Final Report in Spl.S.C.No.102 of 2024 on the file of the Special Court for Exclusive trial of cases under POCSO Act, Dindigul District is quashed.



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connected Miscellaneous Petitions are closed.

23.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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SUNDER MOHAN, J.

gvn

To

1.The Special Court for Exclusive trial of cases under POCSO
Act, Dindigul District

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

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

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23.09.2025