



CRL OP(MD). No.5871 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 29.10.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P(MD). No.5871 of 2024

Aravinth Sharma @ Aravinth,

... Petitioner

Vs.

1. The Inspector of Police,
All Women Police Station,
Valliyoar, Tirunelveli District.

2. XXXXXXXX,
XXXXXX,
XXXXXX, Tirunelveli District.

... Respondents

PRAYER :- This Petition is filed under Section 482 Cr.P.C., to call for the records relating to the Impugned Charge Sheet in Spl.C.C.No.280 of 2019 on the file of the Special Court for POCSO Act Cases, Tirunelveli District and quash the same.

For Petitioner : Mr.G.Aravinthan

For Respondents : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side) for R1

ORDER

The petitioner has sought for quashing of the impugned final report in Spl.C.C.No.280 of 2019 on the file of the Special Court for



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POCSO Act Cases, Tirunelveli District, for the offences under Sections 376, 417, 406 I.P.C and Sections 5(j) (ii), 5(l) & 6 of POCSO Act.

2. The allegation against the petitioner is that the petitioner and the victim, who was minor at the time of occurrence, had love affair and the petitioner had sexual intercourse with the victim girl. Hence, the victim girl lodged a complaint against the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner and the victim girl had a love affair; that the victim girl born on 17.10.2003 after attaining majority, married the petitioner and the marriage was also registered. The learned counsel also produced the copy of the marriage certificate.

4. The learned counsel for the petitioner and the learned counsel for the defacto complainant/the second respondent would submit that the parties have now entered into a compromise and both the parties have agreed the impugned final report may be quashed. The parties have also filed a joint compromise memo dated 15.01.2025.



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5. The petitioner and the second respondent / victim are present before this Court in person. They are identified by Ms.G.Velammal Sub Inspector of Police, Valliyoor AWPS, Tirunelveli District.

6. It is now reported that the case has been transferred to the Additional Mahila Court, Tirunelveli and numbered as in S.C.No.209 of 2025.

7. 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.

8. Considering the fact that the petitioner had married the victim girl, who has now attained majority; 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



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useful purpose would be served by continuing the prosecution.

Accordingly, the impugned Final Report in S.C.No.209 of 2025 on the file of the Additional Mahila Court, Tirunelveli (earlier in Spl.C.C.No. 280 of 2019 on the file of the Special Court for POCSO Act Cases, Tirunelveli District), is quashed.

9. In the result, this Criminal Original Petition is allowed. The joint compromise memo dated 15.01.2025 shall form part and parcel of the order.

NCC : Yes / No

29.10.2025

Internet : Yes/ No

LS

TO

1. The Additional Mahila Court,
Tirunelveli.
2. The Special Court for POCSO Act Cases,
Tirunelveli District.
3. The Inspector of Police,
All Women Police Station,
Valliyoor, Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN,J.

LS

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