



Crl.O.P.(MD)No.8034 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2025

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THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD)No.8034 of 2025

and

Crl.M.P(MD) Nos.6069 and 6072 of 2025

1. Nagarjun
2. Palaniyappan
3. Selvarani
4. Sekar
5. Kattammal
6. Rengasamy
7. Saranya

.. Petitioners

Vs.

1. The Inspector of Police
All Women Police Station
Palani, Dindigul District
2. Muthammal
Extension Officer
Social Welfare Department
Palani Panchayat Union
Dindigul District

3. Divya Bharathi

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the charge sheet in Special S.C.No.22 of 2025 on the file of the Fast Track Mahila Court, Dindigul and quash the same in so far as the petitioner is concerned.



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Crl.O.P.(MD)No.8034 of 2025

For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.M.Sakthi Kumar
No.1 Government Advocate(Crl.Side)
No.3 : Mr.D.Venkatesh

ORDER

This Criminal Original Petition has been filed to quash the charge sheet in Special S.C.No.22 of 2025 on the file of the Fast Track Mahila Court, Dindigul

2. When the matter is taken up for hearing today, the learned counsels appearing on either side and victim also present. Both the victim and the accused filed joint compromise memo stating that the first petitioner and the third respondent/ victim got married and now the victim is nine month pregnant. The victim and the first petitioner are now living together as husband and wife and the victim has no objection to quash the charge sheet.

3.Today both the parties present and this Court also enquired the victim as well as the first petitioner and both stated that they are living as husband and wife and she is now nine month pregnant. Therefore it is



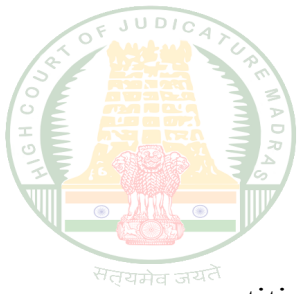
appropriate to allow the petition based on the compromise arrived at between the parties.

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4. At this juncture, it is relevant to refer the judgement of the Hon'ble Supreme Court in the case of ***K.Dhandapani Vs. The State by the Inspector of Police*** reported in ***2022 SCC Online SC 1056***, has held as follows:

“In the peculiar facts and circumstances of this case, we are of the considered view that the conviction and sentence of the appellant who is maternal uncle of the prosecutrix deserves to be set aside in view of the subsequent events that have been brought to the notice of this Court. This Court cannot shut its eyes to the ground reality and disturb the happy family life of the appellant and the prosecutrix. We have been informed about the custom in Tamilnadu of the marriage of a girl with the maternal uncle”.

5.The legal position expressed by the Hon'ble Apex Court in the case of ***Gian Singh vs. State of Punjab and another*** reported in ***(2012) 10 SCC 303*** and ***Parbatbhai Aahir @ Parbatbhai Vs. State of Gujarat*** reported in ***(2017) 9 SCC 641*** were taken into consideration.

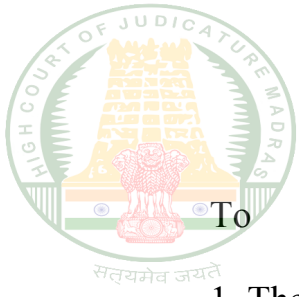


Crl.O.P.(MD)No.8034 of 2025

6. In view of the above said judgments and the fact that the first petitioner and the victim/third respondent are living together as husband and wife after marriage and now she is nine month pregnant and though charges are grave in nature, considering the relationship between the parties and the amicable settlement between themselves this Court is of the view that the compromise is to be accepted. Therefore in order to meet the ends of justice by invoking inherent power of this Court, this Criminal Original Petition stands allowed and the pending proceedings against the petitioners in Special S.C.No.22 of 2025 on the file of the Fast Track Mahila Court, Dindigul is hereby quashed. Consequently connected miscellaneous petitions stand closed.

30.04.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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1. The Fast Track Mahila Court, Dindigul

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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Crl.O.P.(MD)No.8034 of 2025

P.DHANABAL,J.

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