



Crl.O.P.(MD)No.14785 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD)No.14785 of 2025

Manikandan

... Petitioner

Vs.

1. The State of Tamil Nadu
Rep. by The Inspector of Police,
All Women Police Station,
Palani,
Dindigul District.
Crime No.22/2024

2. Muthammal,
Social Welfare Officer,
Palani Panchayat Union,
Panchayat Union Office,
Palani,
Dindigul District.

3. XXXXXXXXX

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to all for the records of the impugned charge sheet in Spl.S.C.No.133/2024 on the file of Fast Track Mahila Court, Dindigul and quash the same.

For Petitioner : Mr.R.Prasanna

For R 1 : Mr.K.Sanjai Gandhi

For R3 : Mr.S.Veerapandiselvaraj



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ORDER

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This petition has been filed to quash the Final Report filed for the offence under Section 9 of Prohibition of Child Marriage Act, 2006 and 5(i), 5(j)(ii) r/w 6 of POCSO Act, 2012 amended Act 2019.

2. The allegation in the final report is that the petitioner and the victim girl are related to each other and the petitioner has seduced the victim girl and had in sexual intercourse when the victim girl was a minor and thereafter married her and thus committed the aforesaid offence.

3. The learned counsel for the petitioner would submit that the victim girl, after attaining majority, has married the petitioner and is now living with the petitioner who is aged about 20 years and 3 months. The victim girl is now aged about 18 years. The learned counsel would further submit that they had love affair and the allegation of forceful sexual intercourse is false; and that in any case, the parties have arrived at a compromise between them and they have filed a joint compromise memo dated 03rd September, 2025 and the scanned copy of the compromise memo reads as follows:



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from the petitioner's house by the 2nd respondent on the basis of the information given by the mother of the victim through child helpline. On the basis of complaint given by the 2nd respondent on 05.07.2024, the FIR was registered against the petitioner in crime no.22/2024 for the offences under section under section 9 of Prohibition of Child Marriage Act 2006, sections 5(1), 5(j)(ii) and 6 of Protection of Child from Sexual Offences Act 2012.

2. The charge sheet was filed on 05.09.2024 before the Learned Mahila Court Dindigul and it is taken on file in Spl.S.C No.133/2024. At the time of filing of charge sheet, the victim was 12 weeks pregnant. The victim delivered a girl baby in the month of January 2025. The victim attained majority on 16.03.2025. The petitioner is aged 20 years. The issue has been compromised between the parties. The petitioner and the victim want to lead a happy life with the kid.
3. The victim has no objection to quash the proceedings in Spl.S.C No.133/2024 on the file of the learned Mahila Court Dindigul.

Dated at Madurai on this the day of September 2025.

A. L. [Signature]

Petitioner/Accused

[Signature]

3rd Respondent/Victim

[Signature] MS 2183/2017
CR. PRASANNA



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4. The petitioner and the victim (Aadhar No. 6454 4619 1807) are present before this Court in person. They are identified by Ms.S.Ananthi, WSSI, Palani All Women Police Station. All the parties confirmed the compromise arrived at between them.

5. In view of the compromise arrived at between the parties and the nature of allegations and since the victim has now married the petitioner, is living with him and has also delivered a girl child, this Court is of the view that no useful purpose will served in keeping the impugned final report pending in the trial Court, as it would cause hardship to both the petitioner and the victim.

6. However, since the petitioner is aged about 20 years and 3 months, it is stated that their marriage could not be registered. Hence, the impugned final report is quashed on condition that the marriage between the petitioner and the victim shall be registered on the petitioner attaining the age of 21 years, failing which, the orders passed by this Court shall stand vacated automatically. This petition is allowed accordingly.



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7. Post the matter for compliance after nine (9) months.

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NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PJL

To

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

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



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SUNDER MOHAN, J.

PJL

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