

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 12.09.2025

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL.O.P.(MD). No.15114 of 2025
and Crl.M.P.(MD)Nos.12263 & 12265 of 2025

R.Dhavamurugan @ Dhavam, ... Petitioner
Vs.

1. The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
(In Crime No.54/2020).

2. Ramu ... Respondents

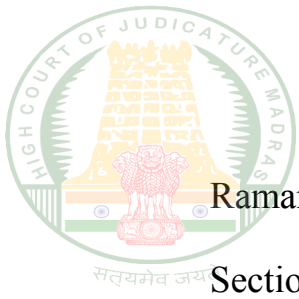
PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the Charge Sheet in Spl.SC.No.36 of 2020 on the file of the Learned Fast Track Mahila Court, Ramanathapuram District and quash the same as illegal so far as this petitioner is concerned.

For Petitioner : Ms.R.Sangeetha

For R-1 : Mr.R.M.Anbunithi,
Additional Public Prosecutor

ORDER

The petitioner has sought for quashing of the impugned final report in Spl.SC.No.36 of 2020 on the file of the Fast Track Mahila Court,



Ramanathapuram District, for the offences under Section 366 I.P.C and Sections 5(1) and 6 of POCSO Act.

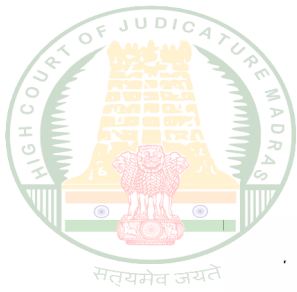
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2. The allegation against the petitioner is that the petitioner and the victim, who was minor at the time of occurrence, had seduced the victim girl and took her out of her parent's house and forcibly had sexual intercourse with the victim. Hence, the father of the victim 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 15.03.2004 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.

5. The parties have also filed a joint compromise memo dated 5th September 2025. The scanned copy of the compromise memo reads as follows:



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MEMORANDUM OF CRIMINAL ORIGINAL PETITION
(UNDER SECTION 528 OF BNSS)
**IN THE HIGH COURT OF JUDICATURE MADRAS AT
MADURAI BENCH**
(Criminal Original Jurisdiction)

Crl. O.P. (MD) No. 15114 of 2025

-In-

Spl. SC.No. 36 of 2020

(On the file of the Learned Fast Track Mahila Court,
Ramanathapuram District)

R. Dhavamurugan @ Dhavam (M/26 Years),
S/o. Ramasamy,
2/133, West Street,
Ramanathapuram District
623504.

...Petitioner/Sole Accused

-Vs-

1. State of Tamil Nadu Rep. by
The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
(In Crime No. 54 of 2020)

...Respondent/Complainant

2. Mr. Ramu,
S/o. Koothan,
No. 11/11, Marappalam,
Pullangdi (Po),
Ramanathapuram District.

...2nd Respondent/ Defacto
Complainant

3. XXXX,
XXXX,
XXXX.

...3rd Respondent/Victim

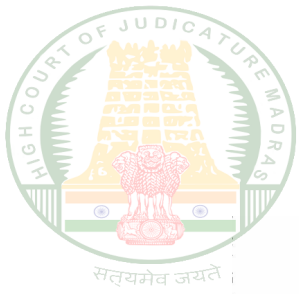
JOINT COMPROMISE MEMO

It is submitted that both the parties hereby enter into a compromise and
agree on the following terms: -

Respondent No.2/
Defacto Complainant

Petitioner/Sole Accused

Respondent no.3/Victim



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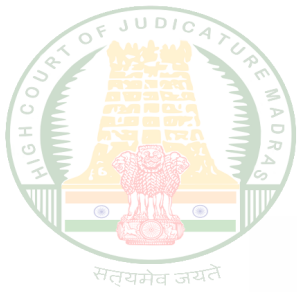


1. That the Petitioner and the second respondent are residing in the above said address.
2. That the **CASE OF THE PROSECUTION** is that the victim girl studying in 11th standard at Syed Ammal Higher Secondary School, and on 04.02.2020 at around 8.30 am the victim girl went to school along with her nearby friends namely Saran S/o. Podhumkani, Kavin Shankar S/o. Sethu, and Nithishkumar S/o. Rajapandi as usually. After that at evening 5 pm the nearby friends of the victim girl had informed her mother that the victim girl went with the alleged accused person by two wheeler from the school. Thereafter the Defacto Complainant's wife informed to the Defacto Complainant about the incident hence the FIR had been lodged.
3. That, it is humbly submit that the **Real Fact** is that the Petitioner herein is the real aggrieved victim in this case. Admittedly, the Petitioner herein was love affair with the victim girl and now the victim girl attained majority and both of them had got married on 20.04.2025 and the same was registered on 21.05.2025 at Sub Registrar Office, Velipattinam in bearing no. TMR/Velipattinam/201/2025. Out of the Wedlock she is three months pregnant now and both are living in the matrimonial house and leading a happy and peaceful life.

Respondent No.2/
Defacto Complainant

Petitioner/Sole Accused

Respondent no.3/Victim



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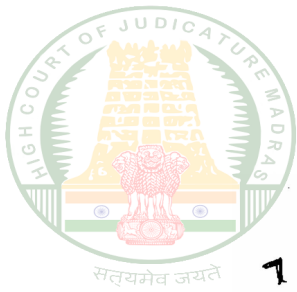
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4. That now the victim girl is attained majority and she is now 21 years old. The Defacto Complainant who is the father of the victim had lodged a complainant with a malafide intention and ulterior motive, that she had been abused by the Petitioner in Crime No. 54 of 2020. None of the essential ingredients of the alleged offence has been made out as against the Petitioner. Even as per the case of the prosecution, there is 'Kidnapping' or 'abduction' that has taken place to satisfy section 366 of IPC.
5. That now the entire dispute between the Defacto Complainant and the Petitioner had been settled harmoniously. Therefore, the Defacto Complainant wish to withdraw the complaint. Now the matter has been selected outside the court between the Petitioner and the Defacto Complainant amicably.
6. The 2nd Respondent had agreed that he will not proceed with the criminal case in Spl.SC. No. 36 of 2020 on the file of the Learned Fast Track Mahila Court, Ramanathapuram District and that he do not have any objections to quash the same in respect of the Petitioner.

Respondent No.2/
Defacto Complainant

Petitioner/Sole Accused

Respondent no.3/Victim



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CRL OP(MD). No.15114 of 2025



Therefore, it is most respectfully prayed that this Hon'ble Court may be pleased to record this Joint Memo as part and parcel of the quash the Impugned Charge Sheet in Spl. SC. No. 36 of 2020 on the file of the Learned Fast Track Mahila Court, Ramanathapuram District and thus render justice.

Dated at Madurai on this the 5th day of **September** 2025

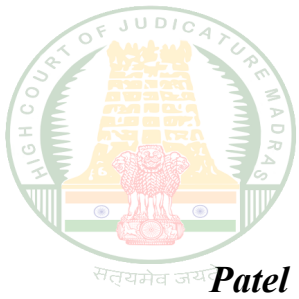
Respondent No.2/
Defacto Complainant

Petitioner/Sole Accused

Respondent No.3/Victim

Counsel for the Respondent No.2

Counsel for the Petitioner



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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.

6. 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 useful purpose would be served by continuing the prosecution. Accordingly, the impugned Final Report in in Spl.SC.No.36 of 2020 on the file of the Fast Track Mahila Court, Ramanathapuram District, is quashed.

7. In the result, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petitions are closed.

12.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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CRL OP(MD). No.15114 of 2025



SUNDER MOHAN,J

LS

TO

- 1.The Fast Track Mahila Court,
Ramanathapuram District
2. The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD) No.15114 of 2025

12.09.2025