



CRL OP(MD). No.15734 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 05/11/2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.15734 of 2025

and

CrI.MP(MD)Nos.12882 and 12883 of 2025

1. Charan,

2. Muthupandi,

3. Muthu,

4. Nageswari,

... Petitioners

Vs.

1. The State of Tamilnadu,
Rep. by the Inspector of Police,
All Women Police Station,
Dindigul, Dindigul District.

2. Umarani

3. XXXXXXXX,,

... Respondents

PRAYER :- This Petition is filed under Section 528 BNSS, to call for the records pertaining to the in Spl.SC. No. 88 of 2025 on the file of the Special Court for Exclusive Trial of Cases under POSCO Act, Dindigul and quash the same as illegal as against the petitioners / Accused No.1 to 4.



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For Petitioners : M/s.Palani M,

For Respondents : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor for R1

ORDER

The petitioner seeks to quash the impugned final report filed in Spl.SC. No. 88 of 2025 on the file of the Special Court for Exclusive Trial of Cases under POSCO Act, Dindigul, for the offences under Sections 9 and 10 of the Prohibition of Child Marriage Act, 2006, Sections 5(i), 5(j) (ii), 6(1), 5(n), 17 and 6 of the POCSO Act, 2012.

2. The gist of the allegation is the first petitioner had a love affair with the victim girl and when the victim girl was a minor, he had sexual intercourse with victim girl and also married the victim girl in the presence of elders, namely, petitioners 2 to 4 and thus committed the aforesaid offences. The prosecution was initiated on the complaint given by the second respondent.



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3. The learned counsel for the petitioner and the learned counsel for the third respondent/victim would submit that the petitioner had a love affair with the victim, whose Date of Birth is 16.03.2007; that now she attained majority; and that the petitioner and the victim got married and consequently registered the marriage on 26.09.2025 under the Tamil Nadu Registration of Marriage Act, 2009. The marriage certificate has been produced before this Court.

4. The victim girl is present before this Court in person and identified by M/s.P.Saravanakumari, WSSI, All Women Police Station, Dindigul. The victim girl confirms her marriage with the petitioner and states that two children were born out of the wedlock. The parties have filed a joint compromise memo dated 10.10.2025.

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 this 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.



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6. Considering the fact that the petitioner had married the victim girl, who has now attained majority and 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 Spl.SC. No. 88 of 2025 on the file of the Special Court for Exclusive Trial of Cases under POSCO Act, Dindigul, is quashed.

7. In the result, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed. The joint compromise memo dated 10.10.2025 shall form part and parcel of this order.

05.11.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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TO

1. The Special Court for Exclusive Trial of Cases under POSCO Act,
Dindigul
2. The Inspector of Police,
All Women Police Station,
Dindigul, Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN,J.

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