



Crl.O.P.(MD)No.16184 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.16184 of 2025

and Crl.M.P.(MD).Nos.13228 and 13232 of 2025

1. Perumal
2. Krishnamoorthi
3. Eswari
4. Saminathan
5. Mariyammal ... 1 to 5 Petitioners / 1 to 5 Accused

Vs.

- 1.The State of Tamilnadu
Represented by Inspector of Police,
All Women Police Station,
Dindigul District,
(Crime No. 8/2025). ... 1st Respondent / Complainant
2. Umarani ... 2nd Respondent/ Defacto
Complainant
3. xxxx ... 3rd Respondent / Victim



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Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to quash the charge sheet filed against the petitioners in Spl.SC.No.99 of 2025 pending on the file of the learned Fast Track Mahila Court, Dindigul, Dindigul District.

For Petitioner : Mr.S.Sarvagan Prabhu
For R1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor
For R3 : M/s.P.Saranya

ORDER

This petition has been filed to quash the impugned Charge Sheet filed in Spl.SC.No.99 of 2025 pending on the file of the learned Fast Track Mahila Court, Dindigul, Dindigul District, for the offences punishable under Section 9, 10 of the Prohibition of Child Marriage Act, 2006 and Sections 5(l), 5(n), 5(j) (ii), 6(1), 6, 17 of the POCSO Act, 2012.

2. The allegation against the petitioners is that the first petitioner is the paternal uncle of the victim girl, petitioners 2 and 3 are parents of the first petitioner and the petitioners 4 and 5 are parents of the victim; that the petitioners 2 to 5 had arranged the marriage between the first petitioner and the victim, when the victim was aged about 17 years; that on 09.06.2024, the marriage took place; that thereafter, the first petitioner had sexual intercourse with the victim, as a result of which, the victim became pregnant and thus,



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committed the aforesaid offences. The prosecution was initiated on the complaint given by the Extension Officer, Dindigul Union, Dindigul.

3. The learned counsel for the petitioners 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 02.07.2007; that now she attained majority; and that the petitioner and the victim got married and consequently registered the marriage on 13.07.2025 under the Hindu Marriage Act. 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.A.Devi, Woman Special Sub-Inspector, Town All Women Police Station, Dindigul. The victim girl confirms her marriage with the petitioner and states that a child is also born out of the wedlock. The parties have filed a joint compromise memo, dated 24.09.2025 and the scanned copy of the compromise memo reads as follows:



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MEMORANDUM OF CRIMINAL ORIGINAL PETITION
(Under Section 528 of BNSB)
IN THE HON'BLE HIGH COURT OF JUDICATURE
AT MADRAS, MADURAI BENCH
(Criminal Original Jurisdiction)
Crl.O.P. (MD)No. 16184 of 2025
In

Spl.SC.No.99 of 2025
(On the file of the learned Fast Track Mahila Court,
Dindigul)

1.Perumal, (M,31/2025)
S/o Krishnamoorthi,

2. Krishnamoorthi (M,50/2025),
S/o Ramasamy,

3.Eswari, (F,55/2025)
W/o Krishnamoorthi,

1 to 3 petitioners are residing at
D.No.91/Z-8, Maruji Road,
East Govinthapuram,
Dindigul.

Presently residing at;
D.No.81-B, Samayapuram Mariyamman Kovil,
East Govinthapuram,
Dindigul District.

4.Saminathan, (M,50/2025)
S/o Chinnadurai,

5.Mariyammal, (F,49/2025)
W/o Samithanan,

4 & 5 petitioners are residing at;
D.No.2/60, Mallaiya Kovil Street,
Viruvachu, Nilakottai Taluk,
Dindigul District. ---1 to 5 Petitioners/1 to 5 Accused

-Vs-

1. The State of Tamilnadu,
Rep. by Inspector of Police,
All Women Police Station
Dindigul District.
(Cr.No.8/2025).

---1st Respondent/Complainant

1. ச.பெருமாள் 5. சோனையப்பன் ஐதேயசாமி செ
2. R. கிருஷ்ணமூர்த்தி
3. K. எஸ்வரி
4. சாமிநாதன்



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2.Umarani, (F,58/2025)

Extention Officer,

Dindigul Union,

Dindigul.

---2nd Respondent/Defacto Complainant

3.Mathulakshmi, (F,18/2025)

D/o Saminathan,

W/o Perumal,

D.No.2/60, Nallaiya Kovil Street,

Viruveedu, Nilakottai Taluk,

Dindigul District.

Presently residing at;

D.No.81-B, Samayapuram Mariyamman Kovil,

East Govinthapuram,

Dindigul District.

---3rd Respondent/Victim

JOINT MEMO OF COMPROMISE

1) It is submitted that the 2nd Respondent herein is the de-facto Complainant, who gave a complaint before the 1st Respondent on 16.01.2019. Based upon the same the 1st Respondent Police registered a case in Cr.No.11 of 2019 against the Petitioners herein.

2) It is further submitted that the Petitioners and the 3rd respondents are belonging to same family and in the mean time the 3rd respondent/victim have delivered a girl child on 15.05.2025 and presently she lives along with her husband and her in-laws at Dindigul. Moreover the victim in the above case has attained the age of majority and by considering the family situations the matter is compromised between the Petitioners and the victim. Based upon the said compromise the parties are agreed not to proceed with the above said case and the 3rd respondent also agreed to compromise the case in Spl.SC.No.99 of 2025 pending on the file of the learned Fast Track Mahila Court, Dindigul, Dindigul District.

1. A.செல்வம்

2. சிவசுப்பிரமணியன்

3. சிவசுப்பிரமணியன்

4. R.சுப்பிரமணியன்

5. K.சுப்பிரமணியன்

6. சிவசுப்பிரமணியன்



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Hence, this Hon'ble court may be pleased to record this Joint Memo of Compromise made by both the parties concerned and quash the charge sheet Spl.SC.No.99 of 2025 for the offences punishable under sections 9, 10 of Prohibition of Child Marriage Act, 2006, & 5(1), 5(n), 5(j) (ii), 6(1), 6, 17 of Protection of Children from Sexual Offences Act, 2012 pending on the file of the learned Fast Track Mahila Court, Dindigul, Dindigul District and thus render justice.

To that effect this memo is filed.

Dated at Madurai on this 9th day of September, 2025

Petitioners

3rd respondent/victim

1. M. S. S. S.
2. R. S. S. S.
3. K. S. S. S.
4. S. S. S. S.
5. S. S. S. S.

பெற்றோர் குழு

Counsel for Petitioners

Counsel for 3rd respondent/victim

S. S. S. S.

S.



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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 this nature, where the victim, after attaining majority has married the first 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 Spl.SC.No.99 of 2025 pending on the file of the learned Fast Track Mahila Court, Dindigul, Dindigul District is quashed.

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

24.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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To

- 1.The Inspector of Police,
All Women Police Station,
Dindigul District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Indu

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