



CRL OP(MD). No.18000 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 28.11.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.18000 of 2025

Selvam,

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by Its, the Inspector of Police,
All Women Police Station,
Illupur, Pudukkottai District.
Crime No.19 of 2025.

2. Dhanusiya

... Respondents

PRAYER :- This petition under section 528 BNSS, to call for the entire records to the First Information Report in Crime No.19/2025 dated 30.06.2025 on the file of the respondent and quash the same.

For Petitioner : Mr. Ganapathi Subramanian.P.,

For Respondents : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side) for R1

: Mr.K.M.Azagan for R2



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ORDER

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The petitioner seeks to quash the impugned F.I.R registered for the offences under Section 450 I.P.C and Sections 5(l), 5(j)(ii), and 6 (1) of the POCSO Act, 2012 and Section 9 of the Prohibition of Child Marriage Act, 2006.

2. The allegation in the final report is that the petitioner married the victim and had sexual intercourse with her, when she was aged about 17 years, as a result of which, the victim became pregnant and thus, the petitioner committed the aforesaid offences.

3. The learned counsel for the petitioner and the learned counsel for the second respondent / victim would submit that the petitioner had a love affair with the victim, whose Date of Birth is 25.06.2007; that now she attained majority; and that the petitioner and the victim got married and consequently registered the marriage on 25.11.2025 under the Tamil Nadu Registration of Marriage Act, 2009. The marriage certificate has been produced before this Court.



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4. The petitioner and the victim girl are present before this Court in person and identified by the Special Sub Inspector of Police, All Women Police Station, Illupur, Pudukkottai District. The victim girl confirms her marriage with the petitioner and states that a child was born out of the wedlock. The parties have filed a joint compromise memo dated 29.10.2025.

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.

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.



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Accordingly, the impugned final report is quashed. The joint compromise memo dated 29.10.2025 shall form part and parcel of the order.

7. In the result, this Criminal Original Petition is allowed. The petitioner shall pay a sum of Rs.10,000/- as costs to the Mediation and Conciliation Centre attached to this Bench and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

28.11.2025

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

1. The Inspector of Police,
All Women Police Station,
Illupur, Pudukkottai District.

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

3. The Officer in-charge,
Mediation and Conciliation Centre
Madurai Bench of Madras High Court,
Madurai.

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SUNDER MOHAN,J

LS

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