



Crl.O.P.(MD)No.18041 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.18041 of 2025

1.B.Masanakumar

2.Balan

3.Perumal

4.Kaleeswari

... Petitioners/Accused 1 to 4

Vs.

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

... 1st Respondent/Complainant

2.M.Meenakshi

...2nd Respondent/ Defacto Complainant

Prayer: Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records in Spl.SC.No.91 of 2025 on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul and quash the same.

For Petitioners : Mr.P.Muthusamy

For R-1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)

For R-2 : M/s.S.Muthumeena



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ORDER

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This Criminal Original Petition is filed to quash the impugned final report in Spl.S.C.No.91 of 2025 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul, which was filed for the offences under Section 74, 87, 115(2), 296(b) of BNS, 2023, Section 5(l), 6 of POCSO Act, 2012 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

2. The allegation in the final report is that the defacto complainant is the mother of the victim girl; that the first petitioner seduced the victim girl and had sexual intercourse with her, when she was aged about 17 years; and that the petitioners 2 to 4 had abused the victim girl in filthy language and harassed her and thus committed the aforesaid offences.

3. The learned counsel for the petitioners and the learned counsel for the second respondent would submit that the first petitioner had a love affair with the victim, whose Date of Birth is 03.12.2006; that now she attained majority; and that the first petitioner and the victim got married and consequently registered their marriage on 06.08.2025 under the Tamil Nadu Registration of



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Marriage Act, 2009. The marriage certificate has been produced before this Court.

4. The defacto complainant and the victim girl are present before this Court in person and identified by M/s.R.Mariamammal, Special Sub Inspector of Police, All Women Police Station, Palani, Dindigul District. They confirmed the marriage of the victim girl with the first petitioner. The parties have filed a joint compromise memo dated 15.09.2025.

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 first 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



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would be served by continuing the prosecution. Accordingly, the impugned final report in Spl.S.C.No.91 of 2025 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul is quashed. The joint compromise memo dated 15.09.2025 shall form part of this order.

7. In the result, the Criminal Original Petition is allowed.

23.10.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm

To

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



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SUNDER MOHAN, J.

Lm

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