



CRL OP(MD). No.16941 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 12.11.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.16941 of 2025

Silamparasan

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep Through the Inspector of Police,
All Women Police Station,
Nilakkottai,
Dindigul District,
Crime No.14/2023.

2. Sukirtha Julee,
Legal cum Probation Officer,
District Child Protection Unit,
Dindigul District.

3. Xxxx,

... Respondents

PRAYER :- This Petition is filed under Section 528 BNSS, to call for the records relating to the impugned charge Spl.SC.No.391/2023 pending on the file of the District Court(Special Court under POCSO cases, Dindigul District) and quash the same.

For Petitioner : K.Palmurugan,

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

: Mr.K.Yasar Arafath for R3



CRL OP(MD). No.16941 of 2025

WEB COPY

ORDER

The petitioner seeks to quash the impugned final report filed for the offences under Sections 5(l), 5(j) (ii) and 6 of the POCSO Act, 2012 and Section 9 of the Prohibition of Child Marriage Act, 2006 and Section 363 I.P.C.

2. The allegation in the final report is that the petitioner seduced the victim and had sexual intercourse with her, when she was aged about 15 years, as a result of which, the victim became pregnant and thus, the petitioner committed the aforesaid offences. The prosecution was initiated on the complaint given by the Legal cum Probation Officer, District Child Protection Unit, Dindigul District.

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 09.08.2007; that now she attained majority; and that the petitioner and the victim got married and consequently registered the marriage on 23.10.2025 under the Tamil



CRL OP(MD). No.16941 of 2025

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 Ms.S.Thanganila, Special Sub Inspector of Police, All Women Police Station, Nilakottai, Dindigul District. The victim girl confirms her marriage with the petitioner. The parties have filed a joint compromise memo dated 23.09.2025.

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 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



CRL OP(MD), No.16941 of 2025

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 is quashed.

7. In the result, this Criminal Original Petition is allowed. The joint compromise memo dated 23.09.2025 shall form part of the order. The petitioner shall pay a cost of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the “District Siddha Medical Officer, CCRI, Periyakulam” (Account No.10767823177, IFSC Code: SBIN0000898, MICR Code: 625002601) and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

12.11.2025

NCC : Yes
Index : Yes
LS



CRL OP(MD). No.16941 of 2025

WEB COPY

TO

1. The District Court (Special Court under POCSO cases,
Dindigul District)
2. The Inspector of Police,
All Women Police Station,
Nilakkottai,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD), No.16941 of 2025

SUNDER MOHAN,J

LS

CRL OP(MD) No.16941 of 2025

12.11.2025