



CRL OP(MD). No.17643 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.17643 of 2025
and
CrI.MP(MD)No.14375 of 2025**

Vinothraj,

... Petitioner

Vs.

1. The State of Tamilnadu Rep.,
By, the Inspector of Police,
Dindigul Town South Police Station,
Dindigul
(Crime No. 317 of 2022).

2. Palanisamy,

3. XXXXXXXX,

... Respondents

PRAYER :- Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pursuant to the proceedings in Spl.SC.No. 197 of 2023 on the file of the Special Court Exclusive Trial of POCSO Cases, Dindigul and quash the same.

For Petitioner : M/s. Manikandan.P.,

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

: Mr.G.Sarathkumar for R2



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ORDER

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The petitioner seeks to quash the impugned final report filed for the offences under Section 363 IPC and Sections 5(l), 5(j)(ii), 5(n) and 6 of the POCSO Act, 2012.

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 father of the victim girl.

3. The learned counsel for the petitioner and the learned counsel for the second respondent/defacto complainant would submit that the petitioner had a love affair with the victim, whose Date of Birth is 30.04.2006; that now the victim attained majority; and that the petitioner and the victim got married and consequently registered the marriage on 27.10.2025 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. They are identified by Mr.Venkatakrishnan, Dindigul Town South Police Station, Dindigul District. 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 05.10.2025.

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



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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 05.10.2025 shall form part and parcel of the order. Consequently, connected miscellaneous petition is closed. The petitioners shall pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) 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.

05.11.2025

LS

TO

1. The Special Court Exclusive Trial of POCSO Cases,
Dindigul

2.The Inspector of Police,
Dindigul Town South Police Station, Dindigul.

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

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

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SUNDER MOHAN,J

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