



Crl.OP(MD)No.18929 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2025

CORAM

THE HONOURABLE **Mr.JUSTICE SUNDER MOHAN**

Crl.OP(MD)No.18929 of 2025

1.Chinnasamy

2.Pethanayakkar

3.Chinnammal

... Petitioners

Vs.

1.State of Tamil Nadu,
Represented by the Inspector of Police,
All Women Police Station,
Vadamadurai,
Dindigul District.
(Crime No.14 of 2024)

2.Muthulakshmi

3.Punitha

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS to call for the records pertaining to the impugned charge sheet in Spl.S.C.No.68 of 2025 on the file of the learned Sessions Court, Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul and quash the same.



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For Petitioner : Mr.C.Ezhilarasu
For respondents : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)
for R1
Mr.S.Tamilvanan for R2

ORDER

This Criminal Original Petition has been filed to quash the impugned final report filed in Special S.C.No.68 of 2025 on the file of the Special Court for Exclusive Trial of Cases under POCSO ACT cases, Dindigul for the offences under Sections 5(l), 5(j)(ii), 6, 5(n), 17 of the POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006.

2. The gist of the allegation is that the first petitioner and the victim girl had a love affair; that the first petitioner had sexual intercourse with the victim girl when she was a minor; and that the petitioners 2 and 3 had abetted the said offence.

3. The learned counsel for the petitioners would submit that pursuant to the victim girl attaining majority on 29.04.2025, the first petitioner had married the victim girl and consequently registered the marriage on 15.05.2025 under the Tamil Nadu Registration of Marriage



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

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4. The victim girl is present before this Court in person and identified by Ms.V.Maharani, Special Sub Inspector of Police, All Women Police Station, Vadamadurai, Dindigul District. The victim girl confirms her marriage with the first petitioner. The parties have filed a joint compromise memo, dated 24.07.2025.

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 would be served by continuing the



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prosecution. Accordingly, the impugned final report in Special S.C.No. 68 of 2025 on the file of the Special Court for Exclusive Trial of Cases under POCSO ACT cases, Dindigul is quashed.

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

8. 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 forthwith and file a photocopy of the receipt along with a memo, reporting compliance in the Registry. The joint compromise memo dated 24.07.2025 shall form part of this order.

03.11.2025

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



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To

1.The Inspector of Police,
All Women Police Station,
Vadamadurai,
Dindigul District.

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



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SUNDER MOHAN, J.

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