



Crl.O.P.(MD) No.19435 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.11.2025

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD) No.19435 of 2025

and

Crl.M.P.(MD) No.16270 of 2025

1.Packiyaraj

2.Divya

... Petitioners

Vs.

1.The State of Tamil Nadu rep. by
The Inspector of Police,
All Women Police Station,
Dindigul District.
(Crime No.6 of 2025)

2.Umarani
Extension Officer,
Dindigul Union Office, Dindigul.

3.xxxxxxx

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of Bharathiya Nagarik Suraksha Sanhita, 2023 to call for the records relating to the charge sheet in Spl.S.C.No.98 of 2025 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul and quash the same against the petitioners.



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For Petitioners : Mr.C.Ezhilarasu
For R1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor
For R3 : Mr.C.Vijayalakshmi

ORDER

This Criminal Original Petition has been filed seeking to quash the final report in Spl.S.C.No.98 of 2025 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul, filed against the petitioners for offences punishable under Section 9 & 10 of the Prohibition of Child Marriage Act, 2006 and Sections 5(l), 5(j)(ii) & 6(1) of the Protection of Children from Sexual Offences Act, 2012.

2. The allegation in the final report is that the second petitioner/A2 is the mother of the third respondent/victim girl; that since the father of the third respondent/victim girl passed away and the second petitioner/A2 suffered a stroke, the second petitioner/A2 arranged the marriage of the third respondent/victim girl with the first petitioner/A1; that thereafter, the first petitioner sexually assaulted the third respondent/victim girl on



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several occasions, resulting in her becoming pregnant, and thus committed the aforesaid offences.

3. The learned counsel for the petitioners and the learned counsel for the third respondent/victim girl would submit that the third respondent/victim girl, whose date of birth is 26.10.2007, has now attained majority; and that the first petitioner and the third respondent/victim girl had legally married on 03.11.2025, and subsequently registered their marriage on 17.11.2025. A copy of the marriage certificate has been produced before this Court, which is taken on record. It is also stated that out of the wedlock, a child was born to the first petitioner and the third respondent/victim girl.

4. The petitioners, namely, (1) Packiyaraj [Aadhaar No.4814 2641 3506] and (2) Divya [Aadhaar No.7809 2115 3548], and the third respondent/victim girl were present before this Court in person on 10.11.2025. The third respondent/victim girl confirmed that the first petitioner and the victim girl had legally married and are living together peacefully. They were identified by M/s.Devi, Special Sub-Inspector of Police, All Women Police Station, Dindigul District. Therefore, the



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personal appearance of the petitioners today was dispensed with. The parties have also filed a joint compromise memo dated 06.11.2025.

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, held that in a case of this nature, where the victim, after attaining majority, has married the accused and their marriage has also been registered, no useful purpose would be served in continuing the prosecution, and that it would cause undue hardship to all the parties concerned.

6. Considering the fact that the first petitioner has married the victim girl, who has now attained majority, and that the marriage has also been registered, and in view of the aforesaid observations 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 in continuing the prosecution. Accordingly, the impugned final report in Spl.S.C.No.98 of 2025 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul, is quashed. The joint compromise memo and the marriage certificate filed by the parties shall form part and parcel of this order.



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

Consequently, the connected Miscellaneous Petition is closed.

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Index: Yes/ No

Neutral Citation: Yes / No

Copy To:

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



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SUNDER MOHAN, J.

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