



CRL OP(MD). No.19628 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 11.11.2025

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

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1. Santhanamari,
2. Parvathi,
3. Pandiyan,
4. Arumugam,

... Petitioners

Vs.

1. State of Tamilnadu Rep by
Inspector of Police,
AWPS-Tirunelveli,
Tirunelveli.
Crime No. 39 of 2024.

2. Aruputhamani,,
Rural Welfare Officer,
Manur Union Office,
Tirunelveli.

3. Xxxx,

... Respondents

PRAYER :- This Petition is filed under Section 528 of BNSS, 2023, to call for the records and quash the charge sheet filed by the 1st respondent police in Spl.C.C. No. 16 of 2025 on the file of the Mahila Court, Tirunelveli.



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For Petitioners : Mr.K. Muthurakkan,

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

: Mr.A.Manikandan for R3

ORDER

The petitioner seeks to quash the impugned final report filed for the offences under Sections 9 & 10 of the Prohibition of Child Marriage Act, 2006, Sections 5(l), 5(n), 5(j)(ii) 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 16 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 Rural Welfare Officer, Manur Union Office, Tirunelveli.

3. The learned counsel for the petitioners and the learned counsel for the third respondent/victim would submit that the first petitioner had



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a love affair with the victim, whose Date of Birth is 09.07.2007; that now she attained majority; and that the first petitioner and the victim got married and consequently registered the marriage on 13.10.2025 under the Tamil 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 M/s.A.Mariammal, Inspector of Police, All Women Police Station, Tirunelveli Rural. The victim girl confirms her marriage with the first petitioner and states that a child was born out of the wedlock. The parties have filed a joint compromise memo dated 07.11.2025.

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*** 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.



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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 useful purpose would be served by continuing the prosecution. Accordingly, the impugned final report is hereby quashed. The joint compromise memo dated 07.11.2025 shall form part of the order.

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

11.11.2025

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

1. The Mahila Court,
Tirunelveli.

2.The Inspector of Police,
AWPS-Tirunelveli,
Tirunelveli.

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

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SUNDER MOHAN,J

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