



CRL OP(MD). No.20857 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 27.11.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.(MD). No.20857 of 2025

1. Selvam,
2. Shanmugam,
3. Sankarammal,

... Petitioners

Vs.

1. The State of Tamilnadu Rep.By,
AWPS -Tirunelveli Police Station,
Tirunelveli District
Crime No.01 of 2023.

2. Shanthiarputhramani,
W/o.Unknown, Rurla Welfare Officer,
Panchayat Union Office,
Palayamkottai,
Tirunelveli District.

3. Xxxx,

... Respondents

PRAYER :-This petition is filed under section 528 BNSS, to call for the records of the impugned proceedings in Spl.C.C.No.76 of 2025 on the file of the Learned Sessions Judge, Mahila Court, Tirunelveli District and quash the same as illegal.



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For Petitioners : Mr.Muthuram R,

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

: Mr.Sanakkiyan for R2

ORDER

The petitioners seek to quash the impugned final report filed for the offences under Sections 9 and 10 of Prohibition of Child Marriage Act and Sections 5(l), 6 and 5(j)(ii) of the POCSO Act, 2012.

2. The allegation in the final report is that the first 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.

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 04.07.2007; that now she attained majority; and that the petitioner and the victim got married and consequently registered the marriage on 21.11.2025 under the Tamil



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Nadu Registration of Marriage Act, 2009. The marriage certificate has been produced before this Court.

4. The petitioners and the victim girl are present before this Court in person and identified by Ms.M.Malarvizhi, WSSI, All Women Police Station, Tirunelveli District. The victim girl confirms her marriage with the first petitioner and states that two children were born out of the wedlock. The parties have filed a joint compromise memo dated 19.11.2025.

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.

6. Considering the fact that the first petitioner had married the victim girl, who has now attained majority and marriage has been



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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 quashed. The joint compromise memo dated 19.11.2025 shall form part and parcel of the order.

7. In the result, this Criminal Original Petition is allowed. The petitioners shall jointly pay a sum of Rs.10,000/- as costs to the High Court Legal Services Authority attached to this Bench and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

27.11.2025

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

1. The Sessions Judge,
Mahila Court,
Tirunelveli District.

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

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

4. The Officer in-charge,
High Court Legal Services Authority
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN,J.

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