



CRL OP(MD). No.20929 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated :25.11.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.(MD). No.20929 of 2025

Sankar,

... Petitioner

Vs.

1. State of Tamilnadu Rep by
Inspector of Police,
AWPS-Vadamadurai,
Dindigul.
Crime No.24 of 2024..

2. Periyakkal,

3. Xxxxx,

... Respondents

PRAYER :- This Petition is filed under section 528 BNSS, to call for the records pertaining to the Spl.S.C.No.87 of 2025 on the file of the Principal District and Sessions Judge, Dindigul in Crime no.24 of 2024 on the file of the 1st Respondent Police and quash the same by allowing this Criminal Original Petition.

For Petitioner : Mr.N. Balasubramanian,

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

: Mr.Sanjay Sundaram for R3



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CRL OP(MD), No.20929 of 2025

ORDER

The petitioner seeks to quash the impugned final report filed for the offences under Sections 366, 364 I.P.C and Section 9 of Prohibition of Child Marriage Act, 2006 and Sections 5(i), 5(j)(ii), 5(l) r/w. Section 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.

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 30.07.2007; that now she attained majority; and that the petitioner and the victim got married and consequently registered the marriage on 24.11.2025 under the Tamil Nadu Registration of Marriage Act, 2009. The marriage certificate has been produced before this Court.



CRL OP(MD), No.20929 of 2025

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4. The petitioner and the victim girl are present before this Court in person and identified by Ms.V.Maharani, Sub Inspector of Police, All Women Police Station, Vadamadurai, Dindigul District. The victim girl confirms her marriage with the petitioner and states that she does not wish to pursue the case. The parties have filed a joint compromise memo dated 25.11.2025.

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 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



CRL OP(MD). No.20929 of 2025

useful purpose would be served by continuing the prosecution.

Accordingly, the impugned final report is quashed. The joint compromise memo dated 25.11.2025 shall form part and parcel of the order.

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

25.11.2025

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

TO

1. The Principal District and Sessions Judge,
Dindigul

2.The Inspector of Police,
AWPS-Vadamadurai,
Dindigul.

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



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CRL OP(MD), No.20929 of 2025

SUNDER MOHAN,J

LS

CRL OP(MD) No.20929 of 2025

25.11.2025