



Crl.O.P.(MD)No.21430 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.21430 of 2025

1.Mohamed Husain

2.Kamarnisha

3.Jamila Beevi

4.Shahulhameed

5.Uthuman Mydeen

... Petitioners/Accused No.1 to 5

Vs.

1.The State of Tamilnadu rep. by,
The Inspector of Police,
All Women Police Station,
Puliyankudi
Tenkasi District.
Crime No.22 of 2024

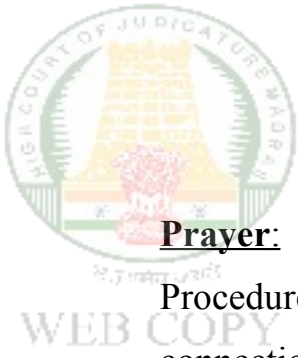
... Respondent/Complainant

2.The Rural Welfare Officer (Women)
Kadayanallur Panchayat Union Officer,
Kadayanallur,
Tenkasi District.

... 2nd Respondent/Defacto
Complainant

3.xxxxxxx,
Tenkasi District

... 3rd Respondent/Victim Girl



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Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code/Section 528 of BNSS, 2023, to call for the records in connection with the impugned charge sheet in Spl.SC.No.280 of 2025 (On the file of the Learned Principal District Court, Tenkasi District) and quash the same in so far as the petitioner is concerned.

For Petitioners : Mr.Raja Ravi Varma
For R-1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)
For R-3 : Mr.S.Jai Surya Prakash

ORDER

The petitioners seek to quash the impugned charge sheet in Spl.SC.No. 280 of 2025 on the file of the Principal District Court, Tenkasi District, which was filed for the offences under Section 6, 5(l), 5(j)(ii), 17 of the Protection of Child from Sexual Offences Act, 2012 and Sections 9, 10, 11 of the Prohibition of Child Marriage Act, 2006

2. The petitioners 2 and 5 are mother and paternal uncle of the victim girl; the petitioners 3 and 4 are mother and brother of the first petitioner/first accused; that after coming to know that the first petitioner and the victim girl, who was aged about 17 years, were in love with each other, the petitioners 2 to 4, got the victim girl married to the first petitioner before she attained majority;



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and that thereafter, first petitioner had sexual intercourse with her, when she was aged about 17 years, as a result of which, the victim became pregnant; and thus committed the aforesaid offences. The prosecution was initiated on the complaint given by the Rural Welfare Officer, Kadaiyanallur.

3. The learned counsel for the petitioners 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 26.01.2007; that now she attained majority; and that the petitioner and the victim got married and consequently registered the marriage on 03.11.2025 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.B.Sethulakshmi, Women Head Constable, All Women Police Station, Puliyanakudi, Tenkasi District. The victim girl confirms her marriage with the petitioner and states that a child is also born out of the wedlock. The parties have filed a joint compromise memo dated 23.11.2025.

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



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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 as 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 prosecution. Accordingly, the impugned charge sheet in Spl.SC.No.280 of 2025 on the file of the Learned Principal District Court, Tenkasi District, is quashed and the Criminal Original Petition stands allowed. The joint compromise memo dated 23.11.2025 shall form part of this order. The petitioners shall pay a sum of Rs.5,000/- (Rupees Five 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.



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

28.11.2025

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

Indu

To

- 1.The Principal District Court,
Tenkasi District.
- 2.The Inspector of Police,
All Women Police Station,
Puliyankudi
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Indu

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