



Crl.O.P.(MD)No.21763 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.21763 of 2025

Dinesh ... Petitioner/Sole Accused

Vs.

1.The State of Tamilnadu Rep by,
The Inspector of Police,
All Women Police Station,
Dindigul Rural,
Dindigul District.
Crime No.25 of 2024

...1st Respondent/Complainant

2.Selvi ...2nd Respondent/Defacto
Complainant

3.xxxxxx ...3rd Respondent/Victim (LW2)
Dindigul District.

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code/Section 528 of BNSS, 2023, to call for the records pertaining to the Charge Sheet in Spl.S.C.No.155 of 2024 for an alleged offence under Sections 5(n), 5(j)(ii), 5(1) and 6 of POCSO Act on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul and quash the same as illegal against the petitioner.

For Petitioner : Mr.M.Maran

For R-1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

For R-2 and R-3 : Mr.R.Narayana Sankar



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ORDER

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The petitioner seeks to quash the impugned charge sheet in Spl.S.C.No. 155 of 2024 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul, which was filed for the offences under Section 5(n), 5(j) (ii), 5(1) and 6 of POCSO Act.

2. The case of the prosecution is that the petitioner had a love affair with the victim girl; that on 15.04.2024, the petitioner had seduced the victim girl and 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.

3. The learned counsel for the petitioner and the learned counsel for the respondents 2 and 3 would submit that the petitioner had a love affair with the victim, whose Date of Birth is 26.06.2006; that now she attained majority; and that the petitioner and the victim got married and consequently registered the marriage on 28.05.2025 under the Tamil Nadu Registration of Marriage Act, 2009. The marriage certificate has been produced before this Court.



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4. The victim girl is present before this Court in person and identified by M/s.A.Vimala Mary, Special Sub Inspector of Police, Rural All Women Police Station, Dindigul. 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 26.11.2025.

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 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.S.C.No.155 of 2024 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul is quashed and the



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Criminal Original Petition stands allowed. The joint compromise memo dated 26.11.2025 shall form part of this order. The petitioner 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.

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 Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul.
- 2.The Inspector of Police,
All Women Police Station,
Dindigul Rural,
Dindigul 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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