



WEB COPY

CRL OP No. 5208 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 5208 of 2026

Prabhu

..Petitioner(s)

Vs

1. The Inspector of Police,
All Women Police Station, Dharmapuri.
Crime No.15/2023

2. Palanisamy

3. Xxxx
W/o.Xxx,
Xxx, Dharmapuri.

..Respondent(s)

PRAYER: This Criminal Original Petition is filed under Section 528 BNSS, to call for the entire records with respect of Spl.SC.No.18/2024 on the file of the Fast Track Mahila Court at Dharmapuri and quash the same.

For Petitioner(s):

D.JEEVITHA

For Respondent(s):

Mr.LEONARD ARUL JOSEPH SELVAM
ADDITIONAL PP for R1
Mr.G.SATHISH for R2 & R3



ORDER

The Criminal Original Petition has been filed to call for the records relating to SPL.SC. No.18 of 2024 on the file of the Fast Track Mahila Court at Dharmapuri and quash the same.

2. The case of the prosecution case is that the 2nd respondent is the father of Victim girl viz., Sathya aged about 16 years and 11 months. It is alleged that the petitioner had developed a love affair with the said minor girl. On 05.04.2023, the petitioner kidnapped the daughter of the 2nd respondent, and thereafter her whereabouts were not known. Hence, the 2nd respondent lodged a complaint before the 1st respondent police, based on which a case was registered against the petitioner for the offence punishable under Section 363 of IPC.

3. The learned Additional Public Prosecutor submitted that on the complaint of the petitioner/victim's father, a case in Crime No.15 of 2023 was registered on 06.04.2023. After investigation, charge sheet was filed on 11.09.2023, listing witnesses L.W.1 to L.W.18. The case was taken on file in SPL.SC. No.18 of 2024 on the file of the Fast Track Mahila Court at Dharmapuri under Section 366 IPC, Section 9 of the Prohibition of Child Marriage Act, 2006 and Section 5(i) r/w 6(1) of the Protection of Children from Sexual Offences (Amendment) Act, 2019. He further submitted that the



petitioner and the victim are relatives and there was some mis-understanding and now they resolved it and to verify the same, they were directed to appear before the respondent police. On their appearance, the respondent police confirmed their relationship and also confirmed that the dispute was resolved between them by entering into a compromise.

4. The case is pending Trial now. By passage of time, the parties have decided to compromise the dispute amicably among themselves.

5. The Joint Memo of Compromise dated 13.02.2026 has been filed by the father of 3rd respondent/victim girl before this Court. In the affidavit, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in SPL.SC. No.18 of 2024 on the file of the Fast Track Mahila Court at Dharmapuri. The petitioner/accused, Victim girl and the defacto complainant/father of the Victim girl are present before this Court. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6. Considering the submissions made and on perusal of the materials, it is seen that the defacto complainant lodged a complaint stating that the petitioner forced her daughter and married her without their permission. In the meantime, the petitioner and the victim got married which was objected by the defacto



complainant and case registered. Now the victim attained majority, both the petitioner and the victim are living as husband and wife and they were blessed with a boy baby on 02.10.2024. The Apex Court in the case of “*K.Dhandapani vs. State by the Inspector of Police reported in 2022 SCC Online SC 1056*”, considered the subsequent events and observed that the Court cannot shut its eyes to the ground reality and disturb the happy family life of the petitioner as well as the victim girl. In view of the same, this Court finds that continuation of the proceedings will serve no purpose and it is only an abuse of process of law.

7. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the case in SPL.SC. No.18 of 2024 on the file of the Fast Track Mahila Court at Dharmapuri is hereby quashed.

10-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

rkp



To

1. The Judge, Fast Track Mahila Court at Dharmapuri.

2. The Inspector of Police,
All Women Police Station, Dharmapuri.
Crime No.15/2023



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M.NIRMAL KUMAR, J.

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