



Crl.O.P. No. 9784 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2026

CORAM

THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR

Crl.O.P. No. 9784 of 2026

1. Parthiban
2. Mrs. Senthamarai @ Muniyammal
3. Mrs. Kanniyammal
4. Suresh
5. Mrs. Thenmozhi

..Petitioners

Vs.

1. State rep. by
Inspector of Police,
AWPS – Cheyyar,
Tiruvannamalai District.
(Crime No.9 of 2025)

2. XXXX

..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to call for records relating to Special S.C. No. 275 of 2025 pending on the file of Fast Track Mahila Court, Tiruvannamalai, in connection with Crime No. 9 of 2025 on the file of the 1st respondent Police.



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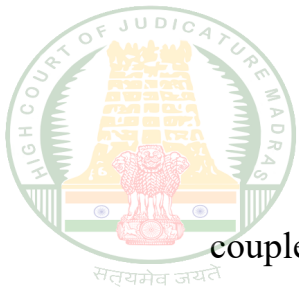
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For Petitioners	::	Mr.V.R. Appaswamee
For Respondents	::	Mr.R. Rajasekaran, Counsel for Govt. of Tamil Nadu (Crl.Side) for R1 Ms.B. Sasikala for Mr.G. Sai Narayanasavan for R2

O R D E R

This criminal original petition is filed to call for records relating to Special S.C. No. 275 of 2025 pending on the file of Fast Track Mahila Court, Tiruvannamalai, in connection with Crime No. 9 of 2025 on the file of the 1st respondent Police.

2. The case of the prosecution is that on 14.03.2025, the 1st respondent Police received information from Government Hospital, Cheyyar, stating that a girl, aged about 17 years, had come to the hospital and upon examination, she was found to be 9 weeks pregnant. Upon enquiry, the victim girl stated that she and one Parthiban/1st petitioner herein were in love with each other. As there was strong familial opposition on both sides, the victim girl and the 1st petitioner herein eloped and got married in a temple on 20.01.2025. Even thereafter, the parents of both the victim girl and the 1st petitioner refused to accept them resulting in the



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couple living in a rented house. Subsequently, the victim girl, who was a minor, became pregnant.

3. Pursuant to the complaint lodged, a case in Crime No. 9 of 2025 was registered as against the petitioners herein for offences under Sections 64(2)(m) & 87 of BNS r/w Sections 5(l), 5(i)(ii), 6(1) & 17 of POCSO Act r/w Section 9 of Prohibition of Child Marriage Act, 2006. After completion of investigation, the final report was filed listing 12 witnesses and the same was taken cognizance in S.C. No. 275 of 2025 by the Special Court for Exclusive Trial of Cases under the POCSO Act, Thiruvannamalai District. Thereafter, the case was made over on 07.10.2025 and transferred to the Fast Track Mahila Court, Thiruvannamalai.

4. Learned counsel for the petitioners submitted that the 1st petitioner and the victim girl were in love with each other for quite some time. When the family of the victim girl and that of the 1st petitioner came to know about the relationship, they objected to the same. Therefore, the victim girl and the 1st petitioner decided to get married in a temple. The 1st petitioner and the victim girl went to Osooramman Temple in Brahmadesam



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on 20.10.2025, got married and started living together. Thereafter, the victim became pregnant. The learned counsel for the petitioners submitted that the victim has now attained majority and the parents of both the victim girl and the 1st petitioner have accepted their relationship and solemnized their marriage. It is further stated that the 1st petitioner and the victim girl have been blessed with a male child and all are living happily in harmony.

5. Learned Government Counsel (Crl.Side) for the first respondent submitted that the 1st petitioner married the victim girl when she was a minor and committed penetrative sexual assault. The victim became pregnant, she went to the hospital for health check-up, and from the hospital, information was received by the respondent Police; a case in Crime No. 9 of 2025 was registered; during investigation, it was confirmed that the victim girl was a minor and her date of birth was 24.09.2007; the Doctor, who examined the victim girl confirmed penetrative sexual assault; statements were recorded and on completion of investigation, charge sheet was filed listing 12 witnesses. Learned Government Counsel further submitted that the victim girl has now attained majority and both the families have accepted



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their relationship and solemnized their marriage. Further, the couple have been blessed with a male baby out of the wedlock.

6. Heard the learned counsel for all parties and perused the materials on record.

7. The case is at the stage of trial. Since the parties have now amicably settled the issue among themselves, they seek to quash the proceedings pending against the petitioners. Affidavits and a Joint Compromise Memo have been filed.

8. The petitioners and the victim girl/2nd respondent along with the child appeared before this Court and were identified by their respective counsel as well as by Ms.M. Nithya, WPC 1567, Cheyyar AWPS, Thiruvannamalai.

9. On interaction by this Court, the victim stated that the issue has been amicably settled and she is not willing to pursue the criminal proceedings as against the petitioners and therefore, seeks to quash the same.

10. An affidavit dated 27.03.2026 has been filed by the victim girl/2nd respondent herein stating that she has attained majority and that both the families have accepted their relationship and solemnized their

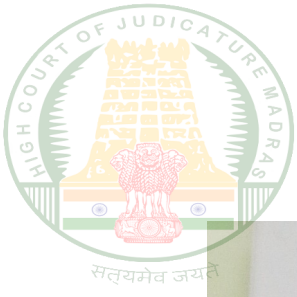


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marriage on 24.10.2025. The marriage was duly registered on 21.11.2025

before Sub Registrar's Office, Vembakkam and a marriage certificate bearing Sl.No.TMR/Vembakkam\34/2025 has also been issued. Further, she would state that she is leading a happy and peaceful matrimonial life with the 1st petitioner and out of the said wedlock, they have been blessed with a male child, namely, P. Deekshan and birth certificate dated 16.10.2025 has been issued by Vellore Corporation, Zone II. The victim is not willing to pursue the case against the petitioners.

11. The Joint Memo of compromise filed by the parties dated 27.03.2026 is scanned and reproduced below:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Original Jurisdiction)

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Against

Special S.C.No. 275 of 2025

(On the file of the Fast Track Mahila Court, Tiruvannamalai)

- 1). Parthiban, S/o.Dharmalingam,
Aged about 29 years,
- 2). Mrs.Senthamarai @ Muniyammal, W/o.Dharmalingam,
Aged about 60 years,
- 3). Mrs.Kanniyammal, W/o.Dharmalingam
Aged about 55 years,
- 4). Suresh, S/o.Munusamy,
Aged about 47 years,
- 5). Mrs.Thenmozhi, W/o.Suresh,
Aged about 39 years,

All are residing at
Natteri Village,
Vembakkam Taluk,
Tiruvannamalai District

.....Petitioners / Accused (A1 to A5)

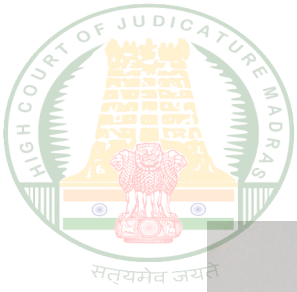
-Vs-

- 1). State rep. by
Inspector of Police,
AWPS – Cheyyar,
Tiruvannamalai District.
(Crime No. 9 of 2025)

.....1st Respondent / Complainant

த. பார்த்திபன்
சென்மாமலை
D. கண்ணியம்மாலை
சு. 9784
ச. 275

ச. கன்னியம்மாலை



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2). XXXXX, F/19 Years,
W/o. XXXX,
XXXXX,
XXXXX,
XXXXX,
Tiruvannamalai District.

.....2nd Respondent / Defacto –Complainant

**JOINT MEMO OF COMPROMISE FILED BY THE PETITIONERS,
DEFACTO COMPLAINANT (VICTIM GIRL)**

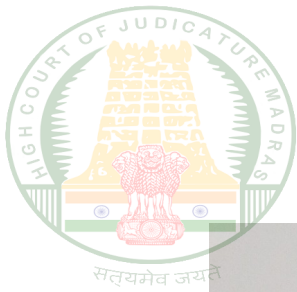
The parties above named state as follows:-

1). It is humbly submitted that the Petitioners have been falsely implicated in Crime No. 9 of 2025 on the file of the 1st Respondent Police for the alleged offences punishable under Sections 64 (2) (m) & 87 of BNS, r/w Sections 5(i), 5(i)(ii), 6(1) & 17 of the POCSO Act r/w. Section 9 of the Prohibition of Child Marriage Act, 2006. Subsequently, the 1st Respondent Police filed a final report, which was taken on file as Special S.C. No. 275 of 2025 on the file of the Special Court for Exclusive Trial of Cases under the POCSO Act, Thiruvannamalai District. Thereafter, the case was made over on 07.10.2025 and transferred to the Fast Track Mahila Court, Tiruvannamalai.

2). It is humbly submitted that, the case of the prosecution is that, on 14.03.2025, the 1st Respondent Police received information from the Government Hospital, Cheyyar stating that a victim girl aged about 17 years had come to the hospital and upon examination, was found to be approximately nine weeks pregnant. It is further alleged that, upon

த. பார்த்திபன்
பி. சந்திரா பாரதி
கண்ணிய செல்வன்
சுரேஷ்
சிதம்பரம்

S. Kumar



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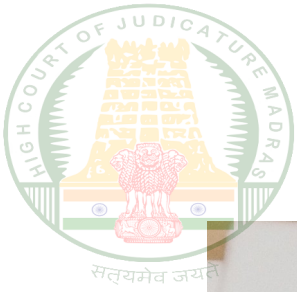
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enquiry, the 1st Respondent Police came to know that the 1st Petitioner had married the victim girl on 20.01.2025, and thereafter they started residing in a rented house. Subsequently, the victim girl became pregnant and was taken for a medical check-up at the Government Hospital, Cheyyar. Based on the said information, the 1st Respondent Police registered a case in Crime No. 9 of 2025 against the Petitioners herein. It is further submitted that the 1st Petitioner is the husband of the De-facto complainant, the 2nd and 3rd Petitioners are the aunts of the De-facto complainant, the 4th Petitioner is the father of the De-facto complainant and the 5th Petitioner is the mother of the De-facto complainant.

3). It is humbly submitted that true facts of the case are that the 1st Petitioner and the victim girl were in a love affair with each other. When the same came to the knowledge of their respective families, the relationship was opposed by them. Due to such opposition, the 1st Petitioner and the victim girl started residing in a rented house, following which a complaint was lodged against the Petitioners and an FIR came to be registered. It is further submitted that, after the victim girl attained majority, both families accepted their relationship and solemnized their marriage. The said marriage was duly registered and the Government of Tamil Nadu issued a Marriage Certificate bearing S.I. No. TMR/VEmbakkam/34/2025 dated 21.11.2025. Thereafter, they commenced their matrimonial life at the residence of the 1st Petitioner. The 1st Petitioner and his wife are now living together peacefully in their matrimonial home and out of the said wedlock, they have been blessed with a child namely P. Deekshan, and also birth certificate bearing No. B-

த. பார்த்திபன்
சிவசுந்தரி
சுமந்தியம்மா
26/2/25
பி. டீக்ஷன்

D. Kumari



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2025:33-14142-008331, dated 16.10.2025, has been issued by Vellore Corporation Zone-II.

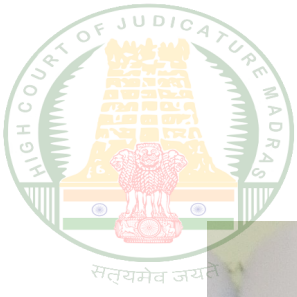
4). It is humbly submitted that, during the pendency of the trial, the 1st Petitioner and the 2nd Respondent, being husband and wife, have decided to approach this Hon'ble Court seeking to quash the criminal proceedings pending against the Petitioners herein.

5). It is humbly submitted that, during the pendency of the trial in Special S.C. No. 275 of 2025 on the file of the Fast Track Mahila Court, Tiruvannamalai, the parties have arrived at an amicable settlement, considering their peaceful matrimonial life and future prospects. The 2nd Respondent, namely the alleged victim girl, has agreed to withdraw the case pending in Special S.C. No. 275 of 2025.

6). It is humbly submitted that, in terms of the said amicable settlement, the 2nd Respondent has agreed to join the Petitioners in seeking quashing of the proceedings in Special S.C. No. 275 of 2025 pending on the file of the Fast Track Mahila Court, Tiruvannamalai. It is further submitted that the entire matter has been amicably settled between the parties. The 2nd Respondent, out of her own free will and without any coercion, has agreed to withdraw the complaint in the above case. It is therefore submitted that continuation of the proceedings would amount to an abuse of process of law and by quashing the same, no prejudice would be caused to any of the parties.

த. பாரித்யம்
பெங்களூர்
கண்ணியம் பாரி
சு. 6.12.25
ச. சிவசுப்பிரமணியம்

S. Kumari



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Therefore, the Petitioners and 2nd Respondent herein humbly pray that this Hon'ble Court may be pleased to accept the join compromise memo to special S.C. No. 275 of 2025 pending on the file of the Fast Track Mahila Court, Tiruvannamalai and thus render justice.

Dated at Chennai on this the 27th day of March, 2026

த. பனிக் கிபுரங்
த. சின் கிபுரங்
த. கிபுரங் கிபுரங்
கிபுரங்
த. கிபுரங் கிபுரங்

Petitioners

A. Indira 1489/20
Counsel for Petitioners

A5)

த. kumalini.
2nd Respondent
(Victim Girl)

G. Ravi 2932/13.
Counsel for 2nd Respondent

ant



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12. Learned Government Counsel (Crl.Side) appearing on

behalf of the first respondent submitted that though the parties entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offences, has to consider the issue as to whether offences of this nature can be quashed on the ground of compromise between parties.

13. It is seen that victim girl attained majority, married and living happily with the 1st petitioner and they have been blessed with a male child. 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*. 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. Hence, this Court is inclined to quash the proceedings pending against the petitioners in S.C. No.275 of 2025 pending on the file of Fast Track Mahila Court, Thiruvannamalai, in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 BNSS.



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14. Accordingly, this Criminal Original Petition stands allowed and the proceedings in S.C. No. 275 of 2025 pending on the file of the Fast Track Mahila Court, Tiruvannamalai, is quashed as against the petitioners.

15. The affidavits and the Joint Memo of Compromise filed by the petitioners and the victim girl for compromising the offences shall form part of the records.

nv

05.06.2026

To

1. The Fast Track Mahila Court,
Tiruvannamalai.
2. Inspector of Police,
AWPS – Cheyyar,
Tiruvannamalai District.
3. The Public Prosecutor, High Court,
Madras.



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M. NIRMAL KUMAR,J.

nv

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