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CRL OP No. 15450 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2026

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THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15450 of 2026

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..Petitioner(s)

Vs

1. The State Rep. by
The Inspector of Police
All Women Police Station,
Vadapalani.

2. Krishnamoorthi

..Respondent(s)

Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the records in Spl.S.C.No.68 of 2025 on the file of the learned Sessions Judge, (Magalir Neethimandram), Allikulam and quash the same.

For Petitioner(s): M/s.Deepika Murali

For Respondent(s): Mr.R.Rajasekaran,
Counsel for Government of Tamil Nadu
(Criminal Side) for R1

ORDER

The victim girl in Spl.S.C.No.68 of 2025 on the file of the learned Sessions Judge (Magalir Neethimandram), Allikulam, filed for the offences under Sections 87 BNS, Section 9 of Child Marriage Act and Section 6 of

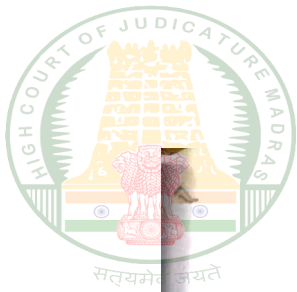


Prevention of Children from Sexual Offences (POCSO) Act, 2012, has filed the present quash petition.

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2.The case of the prosecution is that the petitioner/victim girl, who was 17 years old, and the 2nd respondent/accused were in love with each other and the 2nd respondent/accused brought the petitioner/victim girl from her native town to Chennai on 05.04.2024 and tied *thali* around her neck in front of a Temple and married her. Thereafter, the accused took the victim girl to his house and committed penetrative sexual assault on her on several occasions, which led to the pregnancy of the victim girl and she delivered a girl child on 07.01.2025. On the complaint filed by the Extension Officer, Zone-10, Social Welfare, South Chennai, a case in Crime No.5 of 2024 came to be registered against the 2nd respondent. After investigation, a charge was filed for the offences under Sections 87 BNS, Section 9 of Child Marriage Act and Section 6 of Prevention of Children from Sexual Offences (POCSO) Act, 2012, which was taken on file in Spl.S.C.No.68 of 2025 on the file of the learned Sessions Judge (Magalir Neethimandram), Allikulam. To quash the same, the victim girl has filed the present quash petition.

3.The parties have filed a joint memo of compromise, dated 06.04.2026, which is scanned and reproduced hereunder :



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**IN THE HON'BLE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Original Jurisdiction)**

Crl. O.P. No. 15450 of 2026

In

Spl SC No. 68 of 2025

In

F.I.R. No. 5 of 2024

(On the File of AWPS, Vadapalani)

XXX.

F (aged 18 years)

W/o. Krishnamoorthi,

No.106/4, 4th Street,

Vijayaraghavapuram,

Saligramman,

Chennai-600093.

...Petitioner/Victim

v.

1. The State, rep.by,
The Inspector of Police,
AWPS, Vadapalani.

...1st Respondent/Complainant

2. Krishnamoorthi,
Male, aged about 27 years,
S/o. Tamilmani (late),
No.106/4, 4th Street,
Vijayaraghavapuram,
Saligramman,
Chennai-600093.

...2nd Respondent/Accused

JOINT COMPROMISE MEMO

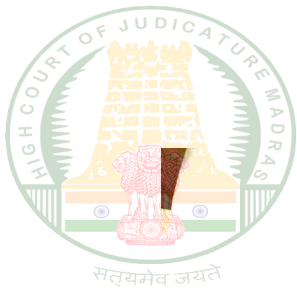
The Petitioner and the 2nd Respondent herein submit as follows:

1. It is submitted that the Petitioner and the 2nd Respondent were involved in a mutually consensual romantic relationship from early

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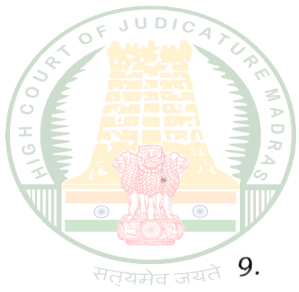
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- 2024 and the 2nd Respondent tied a thaali on the Petitioner on 05.04.2024 in front of Muthu Mariamman Temple, Saligrammam.
2. It is submitted that the relationship between the Petitioner and the 2nd Respondent has been accepted by both their families and they have been living together.
 3. It is submitted that, during the course of pre-natal medical treatment, upon disclosure of the Petitioner's age, an FIR in Crime No. 5 of 2024 dated 26.12.2024 came to be registered on the file of the Inspector of Police, All Women Police Station, Vadapalani under Section 9 of the Prohibition of Child Marriage Act, 2006 and Section 6 of the Protection of Children from Sexual Offences Act, 2012 against the 2nd Respondent.
 4. It is submitted that the Final Report dated 27.02.2025 has been filed and the matter is pending in Spl. S.C. No. 68 of 2025 on the file of the Ld. Sessions Judge (Magalir Neethimandram), Allikulam, Chennai. It is submitted that a girl child was born to the Petitioner and the 2nd Respondent on 07.01.2025.
 5. It is submitted that the Petitioner and the 2nd Respondent have solemnized their marriage on 16.11.2025 at Muthu Mariamman Temple, Saligrammam, upon the Petitioner attaining majority, in the presence of both families and are presently living together as husband and wife.
 6. It is submitted that the Petitioner and the 2nd Respondent are leading a peaceful matrimonial life and the 2nd Respondent is the sole breadwinner of the family.
 7. It is submitted that the dispute between the Petitioner and the 2nd Respondent has been amicably settled and both parties have resolved to continue their matrimonial life peacefully.
 8. It is submitted that the Petitioner has no grievance whatsoever against the 2nd Respondent and does not wish to pursue the criminal proceedings in Spl. S.C. No. 68 of 2025.

K. Rishy

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[Signature]



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9. It is submitted that continuation of the criminal proceedings would cause severe hardship, financial strain and mental agony to the Petitioner, the 2nd Respondent and their minor child and would adversely affect their matrimonial life.
10. It is therefore submitted that no useful purpose would be served by continuing the proceedings in Spl. S.C. No. 68 of 2025.

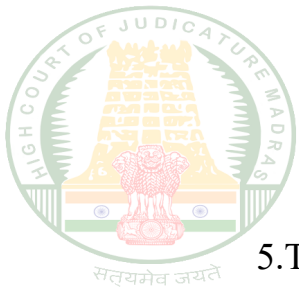
In the above circumstances, it is prayed that this Hon'ble Court may be pleased to record this Joint Compromise Memo and quash the proceedings in Spl. S.C. No. 68 of 2025 on the file of the Ld. Sessions Judge (Magalir Neethimandram), Allikulam, Chennai and thus render justice.

Dated at Chennai on this the 6th day of April, 2026


PETITIONER


2ND RESPONDENT

4. Learned counsel for the petitioner/victim girl submitted that the victim girl and the accused were in mutual consensual relationship and they had married and their marriage has been accepted by both families. Only when the victim girl went for pre-natal check up, upon disclosure of her age, a criminal case came to be registered as against the accused. Now, the victim has attained majority and they are living happily as husband wife along with a girl child born to them.

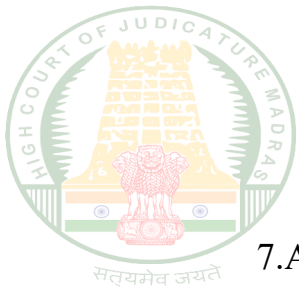


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5.Today, the petitioner/victim girl and the 2nd respondent/accused appeared before this Court along with the girl child born to them on 07.01.2025.

To confirm the same, the Birth Certificate of the child is produced before this Court. The petitioner/victim girl states that she has married the 2nd respondent/accused with consent and they are now happily leading their life. Hence, she prays for quashing of the charge sheet in view of their peaceful future.

6.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 accused as well as the victim. This case involves the future of two young persons and quashing the same will in fact pave way for the accused as well as the victim to settle down in their life and look for better future prospects. No useful purpose will be served in continuing with the criminal proceedings and keeping these proceedings pending will only swell the mental agony of the accused and the victim girl and their families as well. 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 and is therefore, inclined to quash the same.



7. Accordingly, this Criminal Original Petition is allowed and as a sequel, the case in Spl.S.C.No.68 of 2025 on the file of the learned Sessions Judge (Magalir Neethimandram), Allikulam, is hereby quashed.

18-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MKN

To

1. The Sessions Judge
(Magalir Neethimandram),
Allikulam.

2. The Inspector of Police
All Women Police Station,
Vadapalani.

3. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR J.

MKN

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