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CRL OP No. 15001 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15001 of 2026

Sathish Kumar

..Petitioner(s)

Vs

1. The State Rep by.
The Inspector of Police,
Perambalur Police Station,
Perambalur District.
Crime No.837 of 2023.

2. Vennila

3. Xxxx

..Respondent(s)

Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the entire records in connection with Spl.S.C.No.114 of 2025 on the file of the Learned Sessions Judge, Mahila Court, Perambalur and Quash the same on the ground of compromise.

For Petitioner(s): Mr.M.Vijaya Ragavan

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



ORDER

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The petitioner/sole accused, facing trial in Spl.S.C.No.114 of 2025 on the file of the Sessions Court (Mahila Court), Perambalur, for the offences under Section 9 of the Prohibition of Child Marriage Act, 2006 and Section 5(l) r/w. Section 6 of Prevention of Children from Sexual Offences (POCSO) Act, 2012, has filed the present quash petition.

2.The case of the prosecution is that, on 06.11.2023, the *de facto* complainant, who is the mother of the victim girl, approached the 1st respondent Police Station stating that her daughter, aged about 17 years, studying B.Sc., Physics, went to College at about 08.00 a.m., but did not return home. Based on the complaint, the 1st respondent Police registered a case in Crime No.837 of 2023 for “Girl Missing”. After investigation, it was found that, on 06.11.2023, when the victim girl was returning from her College, the petitioner/accused approached her and insisted her to marry him, failing which, he would commit suicide. On such threat, the petitioner took the victim girl to his house and tied a thali around her neck and committed penetrative sexual assault on her. Thereafter, he committed penetrative sexual assault on her on multiple occasions between 06.11.2023 and 07.11.2023. Hence, the 1st respondent filed a charge sheet as against the petitioner for the offences under Section 9 of the Prohibition of Child Marriage Act, 2006 and Section 5(l) r/w. Section 6 of

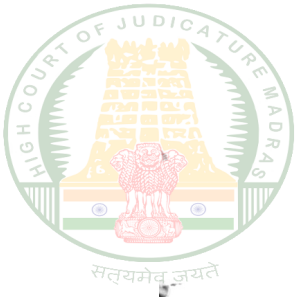


Prevention of Children from Sexual Offences (POCSO) Act, 2012, which culminated into Spl.S.C.No.114 of 2025 on the file of the Sessions Court (Mahila Court), Perambalur.

3.Learned counsel for the petitioner submitted that the petitioner and the victim girl were in love with each other and that the victim girl has now attained majority and the petitioner and the victim girl got married on 15.02.2025 and they are living happily and they have begotten a male child, who is now aged about 6 months. He would further submit that, continuation of this criminal proceedings will create great hardships to their matrimonial life and hence, to serve the ends of justice, he prays for quashing of the proceedings as against the petitioner.

4.Learned Government Counsel (Criminal Side) appearing for the 1st respondent Police submitted that, at the time of occurrence, the victim girl was only 17 years old. However, he submits that the 1st respondent Police have enquired and found that the petitioner and the victim girl have got married and are living together happily and they have a male child aged about 6 months.

5.Now, both the parties have decided to give a quietus to the issue and thereby, have filed a joint compromise memo, dated 06.04.2026, which is scanned and reproduced hereunder :



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

CrI.O.P.No. 15001 of 2026
in

Spl.S.C.No.114 of 2025

(On the file of the Learned Sessions Judge, Mahila Court,
Perambalur)

Sathish Kumar, M/A 23 Years,
S/o.Sambath Kumar,
No.26, North Street,
Keezhkangayankuppam Post,
Panruti Taluk, Cuddalore District.

... Petitioner/Sole Accused

Vs.

1. State rep by,
The Inspector of Police
Perambalur Police Station,
Perambalur District.
(Crime No.837/2023)

...1st Respondent/Complainant

2. Vennila,
W/o.Sakthivel,
D.No.622, Pillaiyar Kovil Street,
M.G.R. Nagar,
Elambalur Post,
Perambalur Taluk & District

...2nd Respondent/Defacto Complainant

3. XXX,
D/o.XXX,
XXX, Perambalur District.

...3rd Respondent/Victim Girl

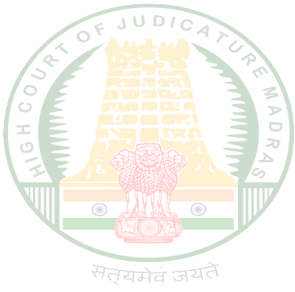
**JOINT COMPROMISE MEMO FILED BY THE ACCUSED
AND THE VICTIM GIRL AND HER MOTHER**

1. It is submitted that, the Petitioner is accused in Crime
No.837 of 2023, on the file of the 1st Respondent Police and
the 3rd Respondent is the victim girl and the 2nd Respondent

S. Sathish Kumar

S. Vennila

S. Sathish Kumar



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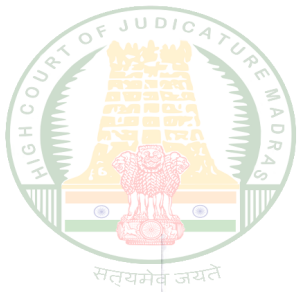
is her mother/defacto complainant. After the investigation, the final report was filed for the alleged offence under Sec. 9 of Prohibition of Child Marriage Act, 2006 and Sec. 5(I) r/w Sec.6 of POCSO Act, 2012 and the same was taken on file in Spl.S.C.No.114 of 2025, by the Learned Sessions Judge, Mahila Court, Perambalur and now it is pending trial.

2. It is submitted that the victim girl's date of birth is 27.01.2006 and now she is aged about 20 years. The Petitioner and the Victim Girl are loved each other and got married on 15.02.2025 and now they are running their matrimonial life happily and peacefully and out of wedlock there is a male child to them namely Sashwin who is aged about 6 months.
3. It is submitted that the victim girl and her mother who is the defacto complainant are willing to withdraw the case and they don't want to pursue the case against the petitioner. If the criminal proceedings are continued and any conviction is given in the case, it will affect the petitioner including the Victim Girl and their child and they will be put into great hardships. Hence, the continuation of the criminal proceedings against the Petitioner, will prevent ends of the justice.
4. It is submitted that the parties have entered into a compromise and thereby settled the issue amicably among themselves out of freewill and without any coercion with an intention to live peacefully. Hence the petitioner Prays this Hon'ble Court to quash the impugned proceedings and if

S.S. Prakash

S. V. S. S.

S. S. S.



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this petition is allowed no prejudice would be caused to anyone.

It is, therefore, humbly prayed that this Hon'ble Court may be pleased to accept this joint compromise memo filed by both the parties and pass appropriate orders in the above Crl.O.P. and thus render justice.

Dated at Chennai on this the 06th day of April, 2026.

[Signature]
Counsel for the Petitioner

[Signature]

PETITIONER

[Signature]

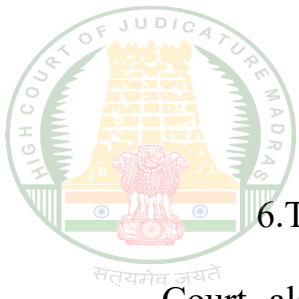
**2nd RESPONDENT/
VICTIM GIRL**

[Signature]

MOTHER OF THE VICTIM GIRL

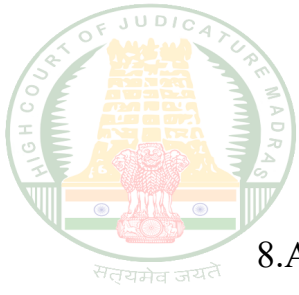
Before me

[Signature]
Advocate: Perambalur
M. SATHIYASEELAN, M.A., B.L.,
Advocate,
MS 2977/2015,
149, Sekar Complex,
Trichy Main Road, Opp. SBI Main Branch,
Perambalur - 621 212.
Cell: 8248501025, 7305917796.
Mail: sathiyaseelanpblr1@gmail.com



6.Today, both the petitioner and the victim girl are present before this Court along with the male child born to them. They are identified by Mr.A.Gandhi, HC-467, Perambalur Police Station, Perambalur District. On enquiry, the victim girl stated that she attained majority and she married the petitioner and they are now living happily as husband and wife and they are blessed with a male child born on 22.09.2025. In support thereof, the Birth Certificate of the child is produced before this Court. She further states that she is not inclined to proceed with the case and ready to withdraw the case.

7.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.



8. Accordingly, this Criminal Original Petition is allowed and as a sequel, the case in Spl.S.C.No.114 of 2025 on the file of the Sessions Court (Mahila Court), Perambalur, is hereby quashed against the petitioner.

18-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MKN

To

1. The Sessions Judge,
Mahila Court,
Perambalur.

2. The Inspector of Police,
Perambalur Police Station,
Perambalur District.

3. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR J.

MKN

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