



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 11472 of 2026

and

CrI.MP.No.8209 of 2026

P. Sathyaraj
S/o.Ponnusamy,
No. 4/115, Bolabaguthanaalli,
Kattampatti, Palacode,
Dharmapuri 636 808.

..Petitioner(s)

Vs

1. The Inspector of Police,
Mahendrama Police Station,
Dharmapuri District.
Crime No. 110/2024.
2. Swetha
W/o.Sathyaraj,
No. 4/115, Bolabaguthanaalli,
Kattampatti, Palacode,
Dharmapuri 636 808.

..Respondent(s)

PRAYER: The criminal original petition filed under Section 528 of BNSS to call for the records and quash the proceedings in Spl.S.C.No. 44/2025 on the file of the Learned Session Judge, Fast Track Mahila Court, Dharmapuri District and pass such further or other orders as this Honble Court.

For Petitioner(s): Mr.M.Selvam

For Respondent(s): Mr.R. RAJASEKARAN
Govt. Advocate (CRL. SIDE) for R1

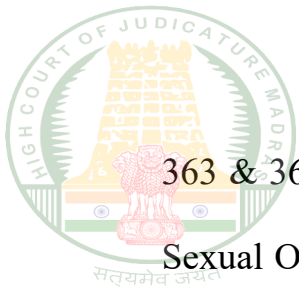
**ORDER**

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The petitioner/accused, who is facing trial in Special SPL.SC.No.44 of 2025 for offence under Sections 363 & 366 of IPC, Sections 5(1), 5(j)(ii) and 6 (1) of Protection of Child from Sexual Offences Act, 2019 and Section 9 of Prohibition of Child Marriage Act, 2006 before the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri District, filed this Criminal Original Petition on the ground of compromise.

2.The case against the petitioner is that the defacto complainant was completed 12th standard, who is aged about 17 years. The petitioner and the defacto complainant fell in love with each other. On came to know, the parents of the defacto complaint scolded her, which was communicated to the petitioner and on the instruction of the petitioner, the defacto complainant came out of house on 22.04.2024. The petitioner took the defacto complainant to Thumbalahalli Dam and tied thali in the Murugan Temple. Thereafter, they had physical relationship, as a result of which, the defacto complainant got pregnancy. Hence, lodged a complaint.

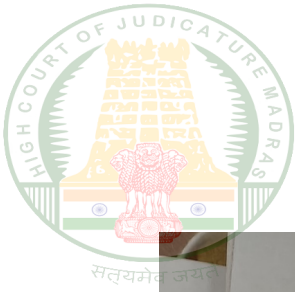
3.The learned counsel appearing for the petitioner submitted that based on the intimation given by the government Hospital, Dharmapuri, the respondent police registered a case in crime No.110 of 2024 for offence under Sections



363 & 366 of IPC, Sections 5(1), 5(j)(ii) and 6 (1) of Protection of Child from Sexual Offences Act, 2019 and Section 9 of Prohibition of Child Marriage Act,

2006. On conclusion of investigation, charge sheet filed before the trial Court listing 14 witnesses and taken on file as Special S.C.No.44 of 2025.

4.Further, the learned counsel for the petitioner submitted that the petitioner and the 2nd respondent have love affair and they married in Murugam Temple at Thumbalahalli Dam. Thereafter, both are residing at Bolabaguthanaalli Village as husband and wife. Out of the wedlock, they have a male child namely S.Jashwanth born on 28.01.2025 at Government Dharmapuri Medical College, Dharmapuri. Based on the information given, the respondent police registered a case. He further submitted that now, the defacto complainant attained majority and the petitioner and the defacto complainant are living happily along with their male child. The copy of the birth certificate of the male child is produced before this Court. Now, the defacto complainant is not inclined to proceed the criminal proceedings against the petitioner and that both the petitioner and 2nd respondent are leading a happy married life with a male child. Hence, he prays for quashing the criminal proceedings. In respect of the same, they filed a Joint compromise memo, which scanned and reproduced hereunder:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS
(CRIMINAL JURISDICTION)

CRL. O.P. NO. 11472 OF 2026
IN

SPL.SC.NO. 44 OF 2025

(ON THE FILE OF THE SESSIONS JUDGE, FAST TRACK MAHILA COURT,
DHARMAPURI DISTRICT)

P.Sathyaraj, (M/31)
Son of Ponnusamy,
No.4/115, Bolabaguthanaalli,
Kattampatti, Palacode,
Dharmapuri-636808

... Petitioner/Accused

Vs

1. The Inspector of Police,
Mahendrama Police Station,
Dharmapuri District
(Cr. No.110 of 2024)

...Respondent/ Complainant

2. Swetha,
Wife of Sathyaraj,
No.4/115, Bolabaguthanaalli,
Kattampatti, Palacode,
Dharmapuri-636808.

...Respondent/victim

**JOINT MEMO OF COMPROMISE FILED BY PETITIONER
AND THE VICTIM**

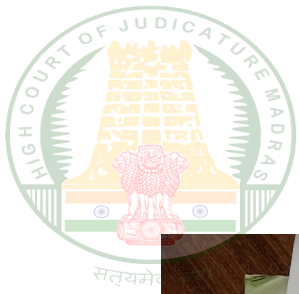
The parties beg to submit as follows:

1. It is submitted that the Petitioner has filed quash petition for to call for the records and Quash the proceedings in Spl.SC.No.44 of 2025 on the file of the Learned Session Judge, Fast Track Mahila Court, Dharmapuri District.

CASE OF THE PROSECUTION:

2. The case of the prosecution is that the complainant got information from the Dharmapuri Government Hospital that the victim is admitted in the hospital for treatment of 5th month of

P. Sathyaraj
M. Swetha



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pregnancy and aged 17 years. Based on the information, the complainant police conducted enquiry with the victim that she is residing at Bolabaguthanaalli village. Her parents home situated at Kittampatti Village. She born on 07.10.2007. Her father Maniyam and mother Vengammal are working as coolie. She has two younger brother namely Sarvesh and Sathish. She has completed 12th standard at Jagamoorthy Government Higher secondary school. She fell in love with the petitioner, who was came for work of electrician. She has communicated her love affair with the petitioner to her parents. Her parents scolded her. She has communicated the same to the petitioner and upon petitioner instruction she came out of the house around 3 clock in the morning on 22.04.2024. She got ready and waited for the petitioner. The petitioner came and taken her in bus to Thumbalahalli Dam, and tied thali in the Murugan Temple. Thereafter both went to the house of the petitioner at Bolabaguthanaalli village. The petitioner mother went to work. On 22.04.2024, both involved in the consensual relationship as husband and wife. She got pregnant and the petitioner mother scolded her and asked to go to her parents house. She got vomiting and fainting due to pregnancy, so she has informed the same to her mother Vengammal over phone. Her parents came to the petitioner's home and seen her. She went for treatment to Pulikarai GH. The doctor did check up to her and stated that the blood is low and advised to go to Dharmapuri GH. On 02.10.2024, she went to Dharmapuri GH along with her mother, the doctor treated her and asked for her age. Subsequently she was admitted as inpatient in the Dharmapuri Hospital. The police had enquired and taken the complaint. Hence the 1st respondent police registered the FIR a case was registered in Crime No.110 of 2024 under Sections

P. Suresh
M. Suresh



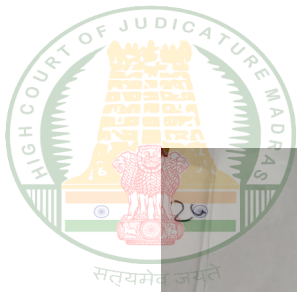
Section 363 & 366 of Indian Penal Code, Sections 5(l), 5(j)(ii) and 6(1) of Protection of Child From Sexual Offences Act, 2012, Section 9 of Prohibition of Child Marriage Act, 2006 and had been taken cognizance in Spl.SC.No.44 of 2025 on the file of the Learned Session Judge, Fast Track Mahila Court, Dharmapuri District.

TERMS OF COMPROMISE ENTERED BETWEEN PARTIES:

3. That that the petitioner and the victim have love affair and living as husband and wife. Due to misunderstanding the alleged case is registered against the petitioner due to the age of the victim. The parties have compromised by intervention of the family members and relatives. The parties have arrived for an amicable settlement and got married and living as husband and wife.
4. The petitioner and the Victim got married and living as husband and wife. Out of matrimonial relationship, the petitioner and victim has one male child named S.Jashwanth born on 28.01.2025. The petitioner is the only breadwinner in the family.
5. That the parties have no objection to quash the case. The Victim is not interested in further proceeding of the trial which would cause unnecessary ordeals in their family and the victim has no objection to quash the Spl.SC.No.44 of 2025 on the file of the Learned Session Judge, Fast Track Mahila Court, Dharmapuri District.
6. That both the parties file this joint compromise memo to be read as part and parcel of the Quash petition and further undertakes to maintain peace and harmony between themselves.

P. Sundar

M. Suresh



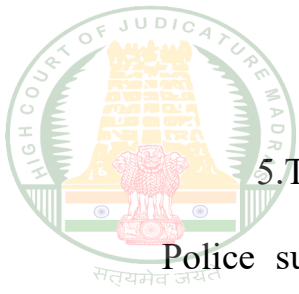
For the reasons stated above it is prayed that this Hon'ble Court may be pleased to accept the joint compromise memo and to call for the records Quash the proceedings in Spl.SC.No.44 of 2025 on the file of the Learned Session Judge, Fast Track Mahila Court, Dharmapuri District and thus render justice.

DATED AT CHENNAI ON THIS THE 27TH DAY OF APRIL 2026

P. Suresh
PETITIONER

M. Swetha
THE VICTIM

H. S. Srinivasan
COUNSEL FOR THE PETITIONER



5. The learned Govt. Advocate (Crl.side) appearing for the 1st respondent Police submitted that in this case, during the relevant period, the defacto complainant was a minor and her date of birth is 07.10.2007. Now she attained majority and she was given birth to a male baby on 28.01.2025. They are living as husband and wife happily along with their male child.

6. Considering the submissions and on perusal of the materials, it is seen that the 2nd respondent/defacto complainant lodged a complaint stating that she and the petitioner were in love relationship and got married. At the time of giving birth to a male baby, an information was sent to the first respondent police and registered a case.

7. Today, the petitioner, the 2nd respondent/defacto complainant and their male baby appeared before this Court, their identity is confirmed by Mr.P.Prabu, HC 753, Mahendrama Police Station, Dharmapuri District.

8. During interaction, the 2nd respondent/defacto complainant informed that she attained majority, both the petitioner and the 2nd respondent/defacto complainant are living as husband and wife and they were blessed with a male baby on 28.01.2025. The 2nd respondent further informed that she is not inclined to proceed with the case and filed a affidavit to that effect. 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.

9. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the case in Special S.C.No.44 of 2025 pending on the file of the Sessions Judge, Fast Track Mahila Court, Dharmapuri District, is hereby quashed against the petitioner. Consequently, connected miscellaneous petition is closed.

10. The affidavit and the Joint Compromise Memo filed by the petitioners and the second respondent defacto complainant for compromising the offences shall form part of the records.

05-06-2026

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



To

1. The Learned Session Judge, Fast Track Mahila Court,
Dharmapuri District.

2. The Inspector of Police,
Mahendrama Police Station,
Dharmapuri District. Crime No. 110/2024.

3. The Public Prosecutor
High Court, Madras.

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CRL OP No. 11472 of 2



M.NIRMAL KUMAR, J.

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CRL OP No. 11472 of 2026
and
Crl.MP.No.8209 of 2026

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