



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15737 of 2026

Krishna @ Krishnan

..Petitioner(s)

Vs

1.State Rep. by The Inspector of Police
All Women Police Station-Perambalur,
Perambalur District.

Crime No.26 of 2023

2.Saratha

Social Welfare Extension Officer,
Panchayat Union, Perambalur.

3.Xxxx

..Respondent(s)

To call for the entire records in Spl S.C. No.58 of 2023 on the file of the Learned Sessions Judge, Mahila Court, Perambalur and quash the same, on the ground of compromise and pass such further or other orders as this Honorable Court.

For Petitioner(s):

Mr.M.Vijaya Ragavan

For Respondent(s):

Mr.R.Rajasekaran, G.A.(Crl. Side), for R1

ORDER

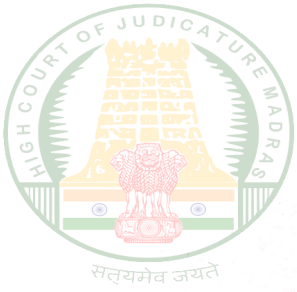
The petitioner/accused, who is facing trial in Spl S.C. No.58 of 2023 for the offence under Section 9 of Prohibition of Child Marriage Act, 2006 and Sections 5(1), 5(j)(ii) r/w. Section 6 of POCSO Act, before the learned Sessions Judge, Mahila Court, Perambalur, has filed this Criminal Original Petition on the ground of compromise.



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2. The case of the prosecution is that the petitioner had a love affair with the victim girl, who was aged about 16 years at the time of the alleged incident. It is alleged that the petitioner performed a child marriage and committed penetrative sexual assault on several occasions, as a result of which the victim girl became pregnant. Subsequently, based on the complaint of the second respondent, who is a Social Welfare Extension Officer, an FIR was registered. Upon completion of the investigation, a final report was filed and the same has been taken on file in Spl S.C. No.58 of 2023.

3. The learned counsel for the petitioner submitted that the petitioner and the victim girl were in a love relationship. Though the victim was a minor at the time of the occurrence, now she attained majority. It is further submitted that she has married the petitioner and they are now living together as husband and wife and leading the matrimonial life happily and peacefully. Out of their wedlock, they are blessed with a male child, currently aged about two years. Therefore the victim is not inclined to proceed the criminal proceedings against the petitioner and prays for quashing of the criminal proceedings. In respect of the same, they filed a Joint Compromise Memo, which is scanned and reproduced hereunder:



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

Crl.O.P.No. 15737 of 2025
in

Spl.S.C.No.58 of 2023

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

Krishna @ Krishnan, M/A 23 Years,
S/o.Nagarajan,
No.53, Pillayar Temple Street,
Vilamuthur Village,
Perambalur Taluk & District.

...Petitioner/Sole Accused

Vs.

1. State, Rep. by
The Inspector of Police,
All Women Police Station – Perambalur,
Perambalur District.
(Crime No.26 of 2023)

...1st Respondent/Complainant

2. Saratha,
Social Welfare Extension Officer,
Panchayat Union, Perambalur.

...2nd Respondent/Defacto Complainant

3. XXXX, F/A 19 years
D/o.XXXX,
XXXX, Perambalur District.

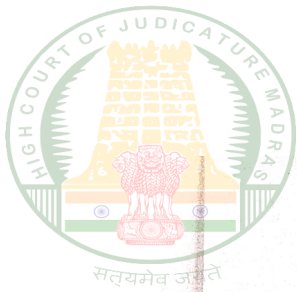
...3rd Respondent/Victim Girl

**JOINT COMPROMISE MEMO FILED BY
THE PETITIONER AND 3RD RESPONDENT**

1. It is submitted that, the Petitioner is the sole accused in Crime No.26 of 2023 on the file of the 1st Respondent Police and the 3rd Respondent is the victim girl of the case. After the investigation, final report was filed for the alleged offence u/s. 9 of Prohibition of Child Marriage Act, 2006 and U/s.5(I), 5(j)(ii) r/w sec.6 of POCSO Act, 2012

N. Krishna

S. Paranesan



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and the same was taken on file as Spl.S.C.No.58 of 2023 on the file of the Learned Sessions Judge, Mahila Court, Perambalur and now it is pending trial.

2. It is submitted that, the date of birth of the victim girl is 30.07.2006 and she attained majority on 30.07.2024. Now she is aged about 19 years and the victim girl and the petitioner got married and running their matrimonial life happily and peacefully and out of wedlock there is a male Child namely Pavish aged about 2 years to them. Therefore, the victim girl is not willing to pursue the case and has decided to withdraw the case. Hence the petitioner and the Victim girl are prays this Hon`ble Court to quash the impugned Final Report herein.
3. It is submitted that, the continuation of the criminal proceedings will cause great mental agony and great injustice to all of them including the Victim girl and their children, if 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 Perambalur on this the 27th day of May, 2026.

S. Anand
Counsel for the Petitioner

N. Krishnan
PETITIONER

S. Anand
**3RD RESPONDENT/
VICTIM GIRL**

M. Raju Kumar
M. RAJU KUMAR, B.A., BL,
Advocate, NS No. 2972/2014
V.S.Complex, Opp.Coll.
Perambalur -
Cell No: 9759504175

BEFORE ME

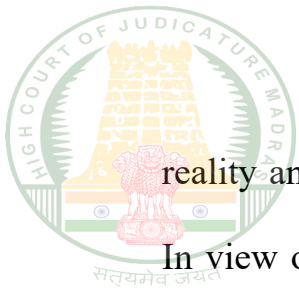


4. The learned Govt. Advocate (Crl.side) appearing for the first respondent Police submitted that during the relevant period of the offense, the victim was a minor and her date of birth is 30.07.2006. Now, she has attained majority and has given birth to a male child. The petitioner and the victim are living together as husband and wife happily along with their male child.

5. Heard the learned counsels appearing on either side and perused the materials available on record.

6. Today, the petitioner, victim and their male baby appeared before this Court, their identity is confirmed by the respondent Police

7. During interaction, the 3rd respondent/victim informed that she attained majority, both the petitioner and the 3rd respondent/victim are living as husband and wife and they are blessed with a male baby. The 3rd respondent/victim further informed that she is not inclined to proceed with the case and filed an affidavit to that effect along with Joint Compromise Memo. Though the offences under POCSO Act are serious and generally non-compoundable, this Court must consider the subsequent events and ground realities to preserve the welfare of the victim and her child. In similar matrix, the Apex Court in ***K.Dhandapani vs. State by the Inspector of Police*** reported in ***2022 SCC Online SC 1056***, 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.

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the case in Spl.S.C. No.58 of 2023 pending on the file of the Sessions Judge, Mahila Court, Perambalur, is hereby quashed against the petitioner. Consequently, connected miscellaneous petition is closed.

9. 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.

25-06-2026

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

To

1. The Sessions Judge, Mahila Court, Perambalur
2. The Inspector of Police
All Women Police Station-Perambalur,
Perambalur District.
Crime No.26 of 2023
3. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

PVS

CRL OP No. 15737 of 2026

25-06-2026