



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 34391 of 2025

Ayyanar

Petitioner(s)

Vs

1. The State Rep By,
The Inspector of Police
All Women Police Station,
Perambalur District.
Crime No.82 of 2024.

2.Latha
Women Village Welfare Officer,
Perambalur Panchayat Union,
Perambalur.

3.Xxxx
D/o XXXX,
XXXX,
Perambalur District

Respondent(s)

PRAYER

This petition is filed under section 528 of the BNSS, 2023 seeking to call for the records in connection with the Impugned Final report in Spl.S.C.No.31 of 2025, 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 Hon'ble Court may deem fit and proper in the circumstances of the case and



thus render justice.

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

For Respondent(s): Mr.A.Amarnath, Counsel for
Government of Tamil Nadu
(Criminal side) for R-1

ORDER

The petitioner/accused, who is facing trial in Special S.C.No.31 of 2025 for offence under Section 9 of Prohibition of Child Marriage Act, 2006 and Sections 5(n), 5(l), 5(j)(ii) and 6 of the Protection of Children from Sexual Offences Act, 2012 before the learned Sessions Judge, Mahila Court, Perambalur, has filed this Criminal Original Petition on the ground of compromise.

2.Case of the prosecution is that the second respondent Women Village Welfare Officer, Perambalur has lodged a complaint stating that the petitioner and the victim girl aged about 15 years at the time of complaint and who are relatives have developed a love affair and a marriage was performed in a temple. Thus, the accused committed the offence for marrying a child and thereafter, committed sexual assault on her on several occasions. A male child was born to them. Hence, a case came to be registered. The 1st respondent Police registered FIR in Crime No.82 of 2024 for offences as stated above. On conclusion of investigation, charge sheet filed before the trial Court listing out witnesses and documents and Special S.C.No.31 of 2025 assigned.



3.Learned counsel for the petitioner submitted that the petitioner and the third respondent victim girl have got married in a temple in their native place on 20.02.2026 and both the family members have participated in the marriage. The learned counsel further submitted that now the third respondent attained majority and gave birth to a baby boy and further the third respondent and the petitioner are leading a happy married life. Hence, he prayed for quashing.

4.Learned Government Advocate (Criminal side) appearing for the 1st respondent Police submitted that in this case, during the relevant period, the victim was a minor and the petitioner had married the victim despite the third respondent was a minor. He fairly submitted that now the third respondent attained majority and the petitioner and the third respondent are living happily, after their marriage in a temple on 20.02.2026, as husband and wife with their new born baby boy.

5.Considering the submissions and on perusal of the materials, it is seen that the case was registered for the reason that despite the third respondent being a minor, the petitioner married her and had committed sexual assault on her. A male child was born to them. It is also seen that now both the petitioner and the third respondent after she had attained majority, got married and they are living a happy married life.

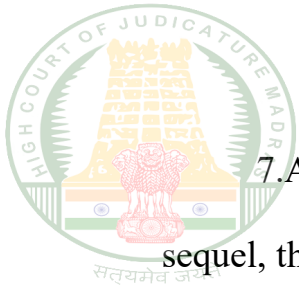
6.Today, the petitioner and third respondent/victim appeared before this Court, their identity is confirmed by Ms.K.Mahalakshmi, WHC 1893 attached



to the 1st respondent Police Station. The third respondent/victim informed that she attained majority, both the petitioner and the third respondent are living as husband and wife and they were blessed with a baby boy. The petitioner and the third respondent filed separate affidavits and joint compromise memo, dated 13.11.2025 to compromise the issue. The relevant portion of the joint compromise memo is as follows:

‘2.It is submitted that, the date of birth of the victim girl is 14.07.2007 and she attained majority on 14.07.2025 and now aged about 18 years and out of wedlock there is a male child to them namely Mohan aged about 1 year. Now the Petitioner and the victim girl are running their matrimonial life peacefully and happily. Therefore, victim girl is not willing to pursue the case against the petitioner and she 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 and if this petition is allowed no prejudice would be caused to anyone.’

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 petitioners 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.



7. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the case in Special S.C.No.31 of 2025 on the file of the learned Sessions Judge, Mahila Court, Perambalur is hereby quashed.

12-06-2026

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

1. The Sessions Court,
Mahila Court, Perambalur.

2. The Inspector of Police
All Women Police Station,
Perambalur District.
Crime No.82 of 2024.

3. The Government Advocate
(Criminal side),
Madras High Court, Chennai.



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M.NIRMAL KUMAR J.

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