



Crl.O.P.(MD)No.1699 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **06.02.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

Crl.O.P.(MD)No.1699 of 2026

1.Aarthi

2.Latha

3.Suresh

4.Ganesh @ Subbaiah

5.Manickam

... Petitioners/Accused Nos. 1 to 5

Vs.

1. State of Tamilnadu

Rep by the Inspector of Police,

All Women Police Station,

Tirunelveli City, Tirunelveli.

(Crime No.12 of 2025)

... Respondent No.1 /Complainant

2.The Village Health Officer,

Panchayat Union,

Palayamkottai,

Tirunelveli District.

... Respondent No.2 / Defacto Complainant

3.xxxxxx

xxxxxx

Tuticorin District.

... Respondent No.3 / Victim

PRAYER : Petition filed under Section 528 of BNSS, 2023 to quash the proceedings in Spl.CC No.231 of 2025 on the file of the learned Sessions Judge, Mahila Court, Tirunelveli.



CrI.O.P.(MD)No.1699 of 2026

For Petitioners : Ms. S.Ragaventhre
For Respondents : Mr. M.Sakthi Kumar (R1)
Government Advocate (CrI.Side)
: Mr. K.S.Aswin (R3)

ORDER

This Criminal Original Petition is filed under Section 482 CrPC / Section 528 BNSS, seeking to quash the charge sheet in Spl.CC No.231 of 2025 on the file of the learned Sessions Judge, Mahila Court, Tirunelveli.

2. The gist of the allegations in the final report is that the first petitioner and the victim girl had love affair and that the petitioners 2 to 5 arranged marriage of the victim girl with the first petitioner and the marriage was solemnized on 08.11.2024 and the victim girl was 17 years old at the time of the marriage and the first petitioner had physical relationship with the victim for several times, due to which, the victim became pregnant. Pursuant to the complaint given by the defacto complainant/second respondent, a case in Crime No.12 of 2025 was registered on the file of the Inspector of Police, All Women Police Station, Tirunelveli City, Tirunelveli, against the petitioners for the offences under Sections 5(1), 5(j)(ii) and 6 of POCSO Act and Sections 9 and 10 of Prohibition of Child Marriage Act, 2006, and the same culminated in



Crl.O.P.(MD)No.1699 of 2026

laying final report in Spl.CC.No.231 of 2025 before the learned Sessions Judge, Mahila Court, Tirunelveli, for the same offences. Seeking quashment of the charge sheet, this Criminal Original Petition is filed.

3. Admittedly, the Sub Registrar, Tirunelveli, issued a marriage certificate dated 08.12.2025 vide Marriage Sl.No.TMR/Tirunelveli Joint I/129/2025 certifying that the marriage between the first petitioner and the third respondent/victim girl has been solemnized on 08.11.2024 and the same has been registered on 08.12.2025 at serial No.129 of Register of Marriages maintained under the Tamilnadu Registration of Marriages Act, 2009 and the parties have now resolved the dispute amicably. It is also stated that the first petitioner and the third respondent/victim are leading matrimonial life peacefully. A Joint Compromise Memo dated 06.02.2026 has been filed before this Court.

4. The petitioners and the second respondent / defacto complainant and the third respondent / victim are present before this Court in person and are identified by Ms.S.Mary Anisha, Woman Head Constable, All Women Police Station, Tirunelveli City, Tirunelveli. The defacto complainant and the victim have categorically stated that they do not wish to pursue the proceedings



CrI.O.P.(MD)No.1699 of 2026

against the petitioners herein. This Court is satisfied that the compromise is voluntary and not the result of any coercion or undue influence.

5. The law relating to quashment of criminal proceedings on the basis of compromise between the parties is well settled. In ***Gian Singh v. State of Punjab***¹, the Hon'ble Supreme Court authoritatively held that the inherent power of the High Court under Section 482 CrPC is of wide amplitude and may be exercised to quash criminal proceedings even in respect of non-compoundable offences, provided the dispute is essentially private in nature and the quashment would secure the ends of justice. The Court, however, drew a clear distinction between offences arising out of personal or matrimonial disputes, commercial transactions and similar private wrongs, and serious or heinous offences having grave impact on society, holding that the latter category cannot ordinarily be quashed merely on the basis of a settlement.

6. The said principles were succinctly crystallised in ***Parbatbhai Aahir v. State of Gujarat***², wherein the Supreme Court, after surveying the earlier precedents, laid down broad propositions governing the exercise of inherent jurisdiction on the basis of compromise. It was emphasised that the

¹ 2012 (10) SCC 303

² 2017 (9) SCC 641



Crl.O.P.(MD)No.1699 of 2026

paramount consideration is whether the continuance of the criminal proceedings would be unfair or contrary to the interests of justice, and whether the dispute predominantly bears a civil or private character, rendering the possibility of conviction remote and bleak.

7. In *State of Madhya Pradesh v. Laxmi Narayan*³, the Supreme Court reiterated and clarified the limitations on such power, holding that offences of a serious nature, particularly those involving mental depravity, grave violence, or offences against society at large, cannot be quashed on the basis of compromise, even if the parties have amicably settled the dispute. The Court further cautioned that while examining compromise quash petitions, the High Court must consider the nature and gravity of the offence, the conduct of the accused, and the stage of the proceedings, and the overall impact on society and must satisfy itself that the settlement is voluntary and not the result of coercion or undue influence.

8. Applying the aforesaid principles to the facts of the present case, this Court has carefully examined the nature and gravity of the allegations, the relationship between the parties, the conduct of the petitioners, the stage of the proceedings, and the voluntary nature of the compromise.

³ 2019 (5) SCC 688



Crl.O.P.(MD)No.1699 of 2026

WEB COPY

9. The dispute in question is now predominantly a family dispute and does not involve any offence having serious or grave impact on society at large. In view of the compromise arrived at between the parties, the possibility of conviction is rendered remote and bleak. Continuation of the criminal proceedings would therefore serve no useful purpose and would amount to an abuse of the process of Court.

10. Accordingly, the impugned charge sheet in Spl.CC.No.231 of 2025 on the file of the learned Sessions Judge, Mahila Court, Tirunelveli, is quashed and the Criminal Original Petition stands allowed. Each of the petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) for establishing an E-Library to the credit of the MBHAA, in Indian Bank, Madurai Bench of Madras High Court Branch, Account No.496038755 IFSC No.IDIB000H040, MICR Code: 625019020, on or before 23.02.2026. The joint compromise memo dated 06.02.2026 and the marriage certificate dated 08.12.2025 in Marriage Sl.No.TMR/Tirunelveli Joint I/129/2025 shall form part and parcel of this order.



Crl.O.P.(MD)No.1699 of 2026

11. The petitioners are directed to file a memo along with the photocopy of the receipt before the Registry on or before 24.02.2026. List the matter on **25.02.2026**, for reporting compliance.

06.02.2026

NCC : Yes / No
Index : Yes / No
Sm

TO:-

1. The Sessions Judge, Mahila Court, Tirunelveli.
2. The Inspector of Police,
All Women Police Station,
Tirunelveli City, Tirunelveli.
(Crime No.12 of 2025)
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.1699 of 2026

L.VICTORIA GOWRI, J.

Sm

Order made in
Crl.O.P.(MD)No.1699 of 2026

Dated
06.02.2026