



CRL OP(MD). No.3678 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 20/02/2026

CORAM

THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.3678 of 2026

1. Muthu

2. Muthulakshmi

... Petitioners

Vs

1. State of Tamilnadu Rep by
Inspector of Police,
Kadayam Police Station,
Tenkasi District.
(Crime No.155/2024).

2. Selvakani,
Rural Welfare Officer,
Ambasamuthram,
Kadayam Union,
Tenkasi District..

3. Vennila Dharshini

... Respondents

PRAYER :-

To call for records pertaining to the charge sheet in Spl.SC. No. 248/2025 on the file of the Principal District Sessions Court, Tenkasi and quash the same as illegal.

For Petitioner : D.Venkatesh,



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Advocate.

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For Respondent : M/s.M.Sakthi kumar
Government Advocate (Crl.Side)

R2 : M/s.T.Lenin Kumar, Advocate

ORDER

This Criminal Original Petition is filed under Section 482 CrPC / Section 528 BNSS, seeking to quash the charge sheet in Spl.CC No.248 of 2025 on the file of the learned Principal District Session Judge, Tenkasi.

2. The gist of the allegations in the final report is that on receiving an information with regard to child marriage, the second respondent had enquired the same. On enquiry it was revealed that the third respondent / victim was married to the first petitioner at the house of the second petitioner and the victim is four months pregnant. Since the marriage took place when she was a minor, the present complaint came to be made by the second respondent. Therefore, a case was registered in Crime No.155 of 2024 for the offences under Sections 6, 5(i) of POCSO Act and under Sections 9 and 10 of the Prohibition of Child Marriage Act



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against the petitioners and the same culminated in laying final report in Spl.CC.No.248 of 2025 before the learned Principal District Sessions Judge, Tenkasi, for the same offences. Seeking quashment of the charge sheet, this Criminal Original Petition is filed.

3. Admittedly, the Marriage Registrar, Sub Registrar Office, Radhapuram, issued a marriage certificate dated 06.01.2026 vide Marriage Sl.No.HMR/Ambasamudhiram/1/2026 certifying that the marriage between the petitioner and the third respondent/victim girl has been solemnized on 08.12.2025 and the same has been registered on 06.01.2026 at serial No.1 of 2026 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 11.02.2026 has been filed before this Court.

4. The petitioners and the second respondent / defacto



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complainant and the third respondent / victim are present before this Court in person and are identified by Mr.K.Sudha, Women Head Constable, Kadayam Police Station, Tenkasi District. The defacto complainant and the victim have categorically stated that they do not wish to pursue the proceedings against the petitioner 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

¹ 2012 (10) SCC 303



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 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

² 2017 (9) SCC 641

³ 2019 (5) SCC 688



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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.

9. The dispute in question is now predominantly a family matter 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 Spl.SC. No.



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248/2025 on the file of the Principal District Sessions Court, Tenkasi is quashed and the Criminal Original Petition stands allowed. Each petitioners shall pay a sum of Rs.10,000/- (Rupees Ten 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 27.02.2026. The joint compromise memo dated 11.02.2025 and the marriage certificate dated 06.01.2026 in Marriage Sl.No.HMR/Ambasamudhiram/1/2026 shall form part and parcel of this order.

11. The petitioner is directed to file a memo along with the photocopy of the receipt before the Registry on or before 13.03.2026. List the matter on 16.03.2026, for reporting compliance. Consequently, connected miscellaneous petitions are closed.

20.02.2026

NCC : yes / no
Index : yes / no
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L. VICTORIA GOWRI,J



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To

1.The Principal District Sessions Judge, Tenkasi

2.The Inspector of Police,
Kadayam Police Station,
Tenkasi District.
(Crime No. 155/2024).

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.3678 of 2026

Date : 20/02/2026