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Crl.O.P.No.14254 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.14254 of 2023

Vishva

.. Petitioner

Versus

1. State Represented by
Inspector of Police,
W-16, All Women Police Station,
Pulianthope, Chennai - 12.
(Crime No.245 of 2021)

2. Bhavani

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertains to the Spl.S.C.No.171 of 2022 (pending on the file of the Special Judge, Mahila Court at Chennai), quash the same.

For Petitioner : Mr.M.I.Javid Akbar

For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)
for R1



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ORDER

This quash petition has been filed to quash the proceedings in Spl.S.C.No.171 of 2022 pending on the file of the learned Special Judge, Mahila Court, Chennai.

2. The quash petition has been filed on the ground that the petitioner ultimately married victim girl and there is also a child named Dhansika who also came along with the petitioner and the daughter of the second respondent. Mrs.Sumathi, Special Sub-Inspector of Police, W-16, All Women Police Station, Pulianthope is present before this Court. The second respondent is also present before this Court and she is the mother of the victim girl and she has stated that all of them are living together and that they are not interested in prosecuting the case.

3. Taking into consideration the facts and circumstances of the case and also after being satisfied that the present case falls within the requirements of the judgments of the Hon'ble Supreme Court of India in ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath***¹ and ***The State of***

¹ (2017) 9 SCC 641



Crl.O.P.No.14254 of 2023

WEB COPY

Madhya Pradesh Vs. Dhruv Gurjar and Another², this Court is inclined to quash the proceedings.

4. In the result, Spl.S.C.No.171 of 2022 on the file of the learned Special Judge, Mahila Court at Chennai stands quashed and the Criminal Original Petition stands allowed.

14.07.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

1. The Special Judge,
Mahila Court, Chennai.
2. The Public Prosecutor,
High Court of Madras.
3. The Inspector of Police,
W-16, All Women Police Station,
Pulianthope, Chennai - 12.

² (2019) 2 MLJ CrL 10



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N.ANAND VENKATESH, J.

grs

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