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Crl.O.P.No.19510 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

**Crl.O.P.No.19510 of 2023
and Crl.M.P.Nos.13160 and 13162 of 2023**

1. S.Gnanasekaran
2. Muthulakshmi .. Petitioners

Versus

1. The Deputy Superintendent of Police,
Vaniyambadi Taluk,
Thirupathur,
Thirupathur District.
2. The Inspector of Police,
Vaniyambadi All Women Police Station,
Thirupathur District.
(Crime No.02 of 2021).
3. S.Priyanka .. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records in pursuant to the Spl.S.C.No.06 of 2022 on the file of the Special Court for Trial of Cases under SC/ST Act Cases, Vellore, Vellore District and quash the same.

For Petitioners : Mr.M.Sathish Kumar

For Respondents : Mr.A.Gopinath,
Government Advocate (Crl. Side),
for RR-1 and 2



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ORDER

This petition has been filed to quash the proceedings in Spl.S.C.No.6 of 2022 on the file of the Special Court for Trial of Cases under SC/ST Cases, Vellore.

2. The case of the prosecution is that the third respondent had fallen in love with A1 who is the son of the petitioners (A2 and A3). They seem to have had physical relationship and according to the victim girl, he promised that he will marry her. Thereafter, A1 is said to have refused to marry the victim girl by citing her caste. When the victim girl questioned about the same to the petitioners (A2 and A3), they also had insulted her. Accordingly, a complaint was given before the second respondent Police and a case was registered in Crime No.2 of 2021 as against three accused persons. The investigation was taken up by the first respondent and on completion of investigation, Final Report was filed before the Court below and the same was taken on file in Spl.S.C.No.6 of 2022 by taking cognizance for offences under Sections 294(b), 376, 506(2) of I.P.C and Sections 3(1)(s) and 3(1)(w)(ii) of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.



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3. When the matter came up for admission on 04.09.2023, this Court passed the following order:-

" Mr.A.Damodaran, learned Additional Public Prosecutor takes notice on behalf of the 1st & 2nd respondents.

2. Notice to the 3rd respondent, returnable by 25.09.2023. Private Notice is also permitted.

3. It is brought to the notice of this Court that A1 who is the son of the petitioners (A2 and A3) died in an accident on 23.02.2022. In view of the same, the case itself can be brought to an end after the 2nd respondent enters appearance before this Court.

4. There shall be a stay of proceedings in Spl.S.C.No.6 of 2022, pending disposal of the criminal original petition.

5. The personal presence of the petitioners is dispensed with pending disposal of the Criminal Original Petition.

6. Post this case under the caption 'For Reporting Compromise' on 25.09.2023 at 2.15 p.m."

4. When the case is taken up for hearing today, the third respondent is present before this Court. She stated that she is not interested in prosecuting the case against the petitioners (A2 and A3). She further stated that she is now aged about 24 years and that she is now working and is taking care of



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her life. The petitioners who are the parents of A1 are also present before this Court.

5. In the light of the guidelines given by the Hon'ble Supreme Court reported in **(2017) 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)**, and after exercising due caution as advised by the Hon'ble Supreme Court in **The State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the case in Spl.S.C.No.6 of 2022 on the file of the Special Court for Trial of Cases under SC/ST Cases, Vellore.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.6 of 2022 on the file of the Special Court for Trial of Cases under SC/ST Cases, Vellore is quashed. Consequently, connected miscellaneous petitions are closed.

25.09.2023

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



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1. The Special Court for Trial of Cases
under SC/ST Act Cases, Vellore,
Vellore District.
2. The Deputy Superintendent of Police,
Vaniyambadi Taluk,
Thirupathur,
Thirupathur District.
3. The Inspector of Police,
Vaniyambadi All Women Police Station,
Thirupathur District.
4. The Public Prosecutor,
High Court of Madras.



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N.ANAND VENKATESH, J.

grs

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