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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.2094 of 2024
and Crl.M.P Nos.1510 & 1511 of 2024

Shyam Sundar

Petitioner

vs.

The Sub Inspector of Police,
T-16, Semmancherry Police Station,
Chennai – 600 119.
(Crime No.71 of 2023)

2.Janani Prabha

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in CC.No.748 of 2023, pending on the file of the Additional Mahila Court, Alandur and quash the proceedings.

For Petitioner : Mr.V.Venkatesan

For Respondents : Mr.A.Gopinath
Government Advocate for R1

Mr.N.R.P.Ayyanar for R2

**ORDER**

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This criminal original petition has been filed to quash the proceedings in CC.No.748 of 2023, pending on the file of the Additional Mahila Court, Alandur.

2. When the matter came up for hearing on 07.02.2024, this Court passed the following order:

Considering the nature of allegations made against the petitioner, this Court is of the view an attempt can be made to amicably resolve the dispute. The first respondent is directed to produce the 2nd respondent before this Court during the next date of hearing.

2. Post this case under the caption “for recording compromise” on 15.2.2024 at 2.15 pm.

3. Thereafter, the matter came up for hearing on 15.02.2024 and this Court passed the following order:

The victim girl was present before this Court. She made it clear that she does not want to compromise.

2. The learned counsel for the petitioner seeks for a weeks



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3. *Post this case under the same caption 'for recording compromise' on 22.02.2024 at 2.15 p.m.*

4. When the matter taken up for hearing today, the learned counsel for the 2nd respondent submitted that the 2nd respondent is not willing to go for any mediation and that the 2nd respondent wants to prosecute this case.

5. In the light of the above stand taken by the 2nd respondent, there is no scope for passing any further orders in this criminal original petition. It is left open to the petitioner to raise all the grounds before the Court below and the same will be considered on its own merits and in accordance with law. The Court below shall complete the proceedings in C.C.No.748 of 2023, within a period of four months from the date of receipt of copy of this order. The trial shall be conducted on a day to day basis in accordance with the guidelines given by Hon'ble Supreme Court reported in ***Vinod Kumar Vs State of Punjab [2015 (1) MLJ (Crl) 288 SC]***. If the petitioner adopts any dilatory tactics, it is open to the trial Court to insist upon the presence of the petitioner and remand him to custody as per the judgment of the Hon'ble Supreme Court in ***STATE OF UTTAR PRADESH VS. SHAMBHU NATH SINGH (JT 2001 (4) SC 3191)***.

Consequently, connected miscellaneous petitions are closed.



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N. ANAND VENKATESH, J.

ssr

6.This criminal original petition is disposed of in the above terms.

Consequently, connected miscellaneous petitions are closed.

22.02.2024

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

ssr

To

1.The Additional Mahila Court, Alandur.

2.The Sub Inspector of Police,
T-16, Semmancherry Police Station,
Chennai – 600 119.

3.The Public Prosecutor,
High Court, Madras.

**Crl.O.P No.2094 of 2024
and Crl.M.P Nos.1510 & 1511 of 2024**