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Crl O.P. No.3323 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

CORAM:

**THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH**

**Crl.O.P.No.3323 of 2024**

Kamal S/o. Subramani

..... Petitioner

vs.

1. State represented by  
The Inspector of Police,  
W16 All Women Police Station,  
Pulianthope,  
Chennai – 600 112.

2. Usha W/o. Varadharajan

.... Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 Cr.P.C., to  
call for the records pertaining to the proceedings of Special Sessions Case  
No.05 of 2023 on the file of the Special Judge (Mahalir Neethimandram)  
Chennai and quash the same.

For Petitioner : Mr.P. Muthamizhselvakumar

For Respondent : Mr. A. Gopinath,  
Government Advocate (Crl. Side)

**ORDER**

This Criminal Original Petition has been filed seeking to quash the  
proceedings pending in Special Sessions Case No.05 of 2023 on the file



of the Special Judge (Mahalir Neethimandram) Chennai.

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2. The victim girl namely Nirosha was present and she stated that her date of birth is 10.06.2006. She has further stated that she married the petitioner and through the marriage, there is a child named Jayashree aged about 1 year. The child was also present at the time of hearing. She further stated that both the families have accepted for the marriage and she is now living happily with the petitioner and hence she stated that she is not interesting in prosecuting this case further.

3. The case is still in the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4. The petitioner and second respondent were also present in person before this Court and they were identified by Mrs. C. Palpandiammal, WHC, W-16 All Women Police Station, Pulianthope, Chennai-600 012 (Cell:94981 27637). This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. Under such circumstances, no useful purpose will be served in



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keeping the case pending, even though, the offences involved are not compoundable in nature. 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, quash the proceedings in Special Sessions Case No.05 of 2023 on the file of the Special Judge (Mahalir Neethimandram) Chennai.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Special Sessions Case No.05 of 2023 on the file of the Special Judge (Mahalir Neethimandram) Chennai is quashed.

**23.02.2024**

Index : Yes / No  
Internet : Yes / No  
mjs

**N.ANAND VENKATESH, J.,**



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WEB COPY To

1. Special Sessions Case No.05 of 2023 on the file of the Special Judge (Mahalir Neethimandram) Chennai.
2. The Inspector of Police,  
W16 All Women Police Station,  
Pulianthope, Chennai – 600 112.
3. The Public Prosecutor, High Court of Madras, Madras-104.

**Crl.O.P.No.3323 of 2024****23.02.2024**