



CRL. OP No.4909 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04.03.2024**

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL. OP No.4909 of 2024

Muralidharan
versus

: Petitioner

1.The State,
Represented by the Inspector of Police,
W27, All Women Police Station,
Vadapalani,
Chennai-26.

2.Mrs.Saraswathi

: Respondents

Petition filed to call for the records in Spl S.C.No.169 of 2023 on the file of Sessions Judge (Magalir Neethimandram), Chennai @ Allikulam and quash the entire proceedings as illegal and unjust.

For Petitioner : Mr.D.J.Venkatesan

For Respondents : Mr.A.Damodaran
Additional Government Pleader
for first respondent



CRL. OP No.4909 of 2024

ORDER

This petition has been filed seeking to quash the proceedings pending in Special S.C.No.169 of 2023 on the file of Sessions Judge (Magalir Neethimandram), Chennai @ Allikulam.

2. Heard Mr.D.J.Venkatesan, learned counsel for the petitioner and Mr.A.Damodaran, learned Additional Government Pleader for first respondent.

3. The case of the prosecution is that there was a love affair between the petitioner and the victim girl and even while the victim girl was minor, the petitioner is said to have kidnapped the minor girl and had married her and had physical intercourse. Based on the complaint given by the grandmother of the victim girl, FIR came to be registered in Crime No. 130 of 2022. On completion of investigation, final report has been filed before the Court below, which has been taken on file in Special SC No.169 of 2023.



CRL. OP No.4909 of 2024

4. When the matter came up for hearing today, the victim girl namely, Swetha was present before this Court. She stated that her date of birth is 09.12.2005. She further stated that she had a love affair with the petitioner and that she married the petitioner on 15.12.2023. She further stated that her family members did not support her and they have made it clear that they will not have any contact with the victim girl. She further stated that she wants to continue with her studies and that she is ably supported by her husband, who is the petitioner herein.

5. The petitioner, who was present before this Court stated that he is working as a teacher in a school and that he possesses the qualification of M.Sc. Mathematics and B.Ed. He further stated that he will take care of the victim girl, who is now his wife and he will help for her further studies.

6. The victim girl requested this Court to close the criminal proceedings since it will affect the family life of the victim girl and also her husband, who is the petitioner in this case.



CRL. OP No.4909 of 2024

7. When the matter was taken up for hearing, Ms.P.Selvi, WSSI, W27

AWPS, Vadapalani was present before this Court. The police officer stated that she is also aware about the marriage between the petitioner and the victim girl.

8. Taking into consideration the facts and circumstances of the case, and also the fact that the victim girl is now a major and she has married the petitioner and she is now living with the petitioner and also the fact that the victim girl has now been disowned by her family, the continuation of the criminal prosecution will not be in the interest of the petitioner as well as the victim girl. Therefore, this court is inclined to interfere with the criminal proceedings pending in Special S.C. No.169 of 2023 on the file of Sessions Judge (Magalir Neethimandram), Chennai @ Allikulam.. Accordingly, proceedings stands quashed and the Criminal Original Petition is accordingly allowed. Consequently, CMP Nos.3558 and 3560 are closed.

04.03.2024

mrn

Page 4 of 6



CRL. OP No.4909 of 2024

To

WEB COPY

1. The Sessions Judge (Magalir Neethimandram),
Chennai @ Allikulam
2. The Inspector of Police,
The State,
W27, All Women Police Station,
Vadapalani,
Chennai-26.
3. The Public Prosecutor,
Madras High Court



WEB COPY



CRL. OP No.4909 of 2024

N.ANAND VENKATESH, J.

(mrn)

CRL. OP No.4909 of 2024

04.03.2024