



**Crl.O.P.(MD).No.20206 of 2023**

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2023

CORAM

**THE HON'BLE MR.JUSTICE G.ILANGO VAN**

**Crl.O.P.(MD).No.20206 of 2023**

**and Crl.M.P.(MD).No.15783 & 15782 of 2023**

1.Thavamani

2.Katchammal

... Petitioners

Vs.

1.The State rep.by

The Inspector of Police,

Kadamalaikundu Police Station

Theni District

(Crime No.421/2021)

2.Jayalakshmi

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, yo call for the records relating to the complaint in STC No.801/2022 on the file of the Judicial Magistrate, Aundipatti and quash the same as far as the petitioners are concerned.

For Petitioners : Mr.M.Rajal

For R1 : Mr.M.Vaikkam Karunanithi  
Government Advocate  
(Crl.side)



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Crl.O.P.(MD).No.20206 of 2023

## **ORDER**

This criminal original petition has been filed seeking quashment of the proceedings in STC No.801/2022 on the file of the Judicial Magistrate, Aundipatti.

2.The petitioner is facing charges under Sections 294(b), 323 of IPC in Crime No. 421 of 2021 on the file of the respondent police. The learned counsel for the petitioner submitted that in the counter case in Crime No.422 of 2023, the accused Nos.1 to 4 in C.C.No.21 of 2022 have appear before the trial Court and admitted their crime and paid the total fine amount of Rs.7,000/-. In view of the specific admission made by the defacto complainant party, it must be considered that they are the real aggressors. On that ground, this petition is liable to be allowed, even without notice to the second respondent.

3.Accordingly, this criminal original petition stands allowed and the proceedings in STC No.801/2022 on the file of the Judicial Magistrate, Aundipatti, in respect of the petitioners is hereby quashed.



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Consequently, connected miscellaneous petitions are closed.

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**09.11.2023**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
TM

To

- 1.The Judicial Magistrate, Aundipatti.
- 2.The Inspector of Police,  
Kadamalaikundu Police Station  
Theni District  
(Crime No.421/2021)
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**G.ILANGO VAN,J.**

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