

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2016

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. No.7816 of 2016 & Crl.M.P. Nos.4070 & 4071 of 2016

1 Muhibullah

2 Zainab Nachiya

Petitioners

vs.

1 State represented by
the Inspector of Police
Kattumannarkoil
Cuddalore District
(Cr. No.301 of 2012)

2 Zainab Nachiya

Respondents

(R2 suo motu impleaded as per order dated 15.11.2016)

Criminal Original Petition filed under Section 482, Cr.P.C. seeking to call for the records in C.C. No.113 of 2013 on the file of the District Munsif-cum-Judicial Magistrate Court, Kattumannarkoil and to quash the same.

For petitioners Mr. G. Pugazhenth

For R1 Mr. C. Emalias
Addl. Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to call for the records in C.C. No.113 of 2013 on the file of the District Munsif-cum-Judicial Magistrate Court, Kattumannarkoil and to quash the same.

2 For the sake of convenience, the parties will be referred to by their name.

3 Muhibullah got married to Zainab Nachiya on 19.02.2004 and they have two children through the wedlock. Their marriage ran into rough weather resulting in they getting estranged. On the complaint lodged by Zainab Nachia, the first respondent

police registered a case in Cr. No.301/2012 on 25.06.2012 and after completing the investigation, has filed a charge sheet in C.C. No.No.113 of 2013 on the file of the District Munsif-cum-Judicial Magistrate Court, Kattumannarkoil, for offences under Section 498-A, 294(b), 352 and 506(ii) IPC read with Section 4 of the Tamil Nadu Prohibition of Women Harassment Act, 2002 against Muhibullah, challenging which, Muhibullah has filed the present Criminal Original Petition for quashing the prosecution on the ground that the parties have arrived at a compromise.

4 On the directions of this Court, Mr. S. Soundararajan, Special Sub Inspector, Kattumannarkoil P.S. produced Zainab Nachiya before this Court on 19.12.2016. When enquired, she stated that she not instructed anyone to file this quash application and that she has not arrived at any compromise with her husband Muhibullah.

5 When this was brought to the notice of the learned counsel for Muhibullah, he sought permission of this Court to withdraw this Criminal Original Petition and he also made an endorsement to that effect.

In view of the above, this Criminal Original Petition is dismissed as withdrawn. Connected Crl.M.Ps. are closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

cad
To

- 1 The Inspector of Police
Kattumannarkoil
Cuddalore District
- 2 The District Munsif-cum-Judicial Magistrate Court
Kattumannarkoil
- 3 The Public Prosecutor
Madras High Court
Chennai 600 104

+1cc to Mr.G.Pugazhenth, Advocate sr.74119

ss1(co)
ss(20/01/2017)

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