



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

CrI.O.P.(MD).No. 10402 of 2016

1. Mohammed Rahim
2. Jamia Beevi
3. Fathima Beevi
4. Sardhar Begum

.. Petitioners/Accused

Vs.

1. The Sub Inspector of Police,
Thalamuthunagar Police Station,
Thalamuthunagar,
Thoothukudi,
Thoothukudi District.
(Crime No.54 of 2014)

2. K.Mohaideen

.. Respondents/Claimants

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. Praying to quash the charge sheet filed by the 1st respondent police in C.C.No.290 of 2014, pending on the file of the learned Judicial Magistrate No.2, Thoothukudi.

For Petitioners : Mr.N.Pragalathan

For R1 : Mr.K.Anbarasan
Government Advocate (Criminal side)

For R2 : Mr.T.Ramkumar

ORDER

This petition has been filed to quash the charge sheet filed by the 1st respondent police in C.C.No.290 of 2014, pending on the file of the learned Judicial Magistrate No.II, Thoothukudi.

2.Heard the learned Counsel for the petitioners, the learned Government Advocate (CrI.Side) appearing for the first respondent and the learned counsel appearing for the second respondent.

3.Based on the complaint given by the second respondent/defacto complainant, a case has been registered against the petitioners in Crime No.54 of 2014, for the offences under Sections 294(b), 323, 324 and 506(ii) of IPC., on the file of the



4. When the matter came up for hearing on 23.11.2016, both the petitioners as well as the second respondent are appeared in person and their identifications were also verified by this Court, in addition to the confirmation of the identity of the parties by the learned Government Advocate (Crl. Side) through the respondent police and they categorically made a statement that the dispute between them have been settled amicably. The second respondent/defacto complainant filed an affidavit, dated 30.03.2016, signed by the defacto complainant and counter signed by his counsel, wherein he stated that the dispute has been amicably settled between the parties, who are sisters of the second respondent. The petitioners would further submit that they are willing to donate Rs.5,000/- to the Government Girls Higher Secondary School, Ulaganeri, Madurai.

5. In view of the above, this Court permitted the petitioners to pay Rs.5,000/- (Rupees five thousand only) to the Government Girls Higher Secondary School, Ulaganeri, Madurai and dispensed with the appearance of the parties.

6. When the matter is taken up for hearing today, the cost memo has been produced by the learned counsel for the petitioners. In view of the statements made by the parties and the affidavit filed by the defacto complainant, no fruitful purpose will be achieved to proceed further in this matter.

7. In view of the above, the Criminal Original Petition is allowed and the entire proceedings in Crime No.54 of 2014 for the offences under Sections 294(b), 323, 324 and 506(ii) of IPC., on the file of the first respondent, is hereby quashed.

Sd/
Assistant Registrar(C.S-II)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Sub Inspector of Police,
Thalamuthunagar Police Station, Thalamuthunagar, Thoothukudi,
Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.N.Pragalathan, Advocate, in SR No.73390.