



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.09.2018
CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

Crl.O.P.[MD].No.16212 of 2018
&
Crl.M.P.(MD)Nos.7184 and 7185 of 2018
and
Crl.O.P.[MD].No.16340 of 2017
&
Crl.M.P.(MD)Nos.10834 and 10835 of 2017

Kanthan : Petitioner/Accused No.1
in Crl.O.P.[MD].No.16212 of 2018

K.Kannan : Petitioner/Accused No.2
in Crl.O.P.[MD].No.16340 of 2017

Vs.

1.The Inspector of Police,
Keelachevalpatti Police Station,
Sivagangai District.
(Crime No.104/2012) : 1st Respondent/Complainant
(in both petitions)

2.Muthuvel : 2nd Respondent/ Defacto Respondent
(in both petitions)

COMMON PRAYER : Criminal Original Petitions are filed under Section 482 of Cr.P.C. to call for the records relating to the proceedings in P.R.C.No.11 of 2016, on the file of the District Munsif Cum Judicial Magistrate, Thiruppathur, in Crime No.104 of 2012 on the file of the Inspector of Police, Keelchevalpatti Police Station, Sivagangai District and quash the same against this petitioners and quash the same.

For Petitioner : Ms.A.Banumathy
in Crl.O.P.(MD)No.16212 of 2018
For Petitioner : Mr.R.Mathiyalagan
in Crl.O.P.(MD)No.16340 of 2017

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)
(in both petitions)

C O M M O N O R D E R

The present Criminal Original Petitions have been filed to quash the proceedings in P.R.C.No.11 of 2016, on the file of the District Munsif Cum Judicial Magistrate, Thiruppathur.

2.The petitioner in CrI.O.P.(MD)No.16212 of 2018 is the husband of the victim namely Jayaramu. The petitioner in CrI.O.P.(MD)No.16340 of 2017 is the brother-in-law of the victim Jayaramu.

3.This Court directed all the parties to be present today. This Court independently examined Jayaramu. She stated that she was born on 24.05.1997 and she got married with Kandan, in the year 2012. Admittedly, she was minor aged about 16 years at the time, when the marriage was conducted. The marriage between the victim and Kandan was conducted against the wishes of both the families. The victim Jayaramu also brought her two children, one son aged about 5 years and another daughter aged about 2 ½ years. She made a categorical statement that she is living happily with Kandan, ever since marriage. She has no contact with her family.

4.This Court also personally enquired Kandan and found that he is working as an Accounts Manager and he is living with his wife Jayaramu at Pondicherry along with two children. Kandan also informed the Court that his family members have discarded him from the family. He further represented that he was not even allowed to perform the last rites of his father.

5.The petitioner in CrI.O.P.(MD)No.16340 of 2017 namely Kannan, who is the brother of Kandan has been unnecessarily added in this case as an accused.

6.This Court is convinced that interest of justice requires the entire proceedings to be quashed in order to ensure the happy living of the family consisting of Kandan and Jayaramu and their two young children. No purpose will be served by keeping this proceedings pending.

7.Accordingly, the proceedings in P.R.C.No.11 of 2016, on the file of the District Munsif cum Judicial Magistrate, Thiruppathur, is hereby quashed. This Criminal Original Petitions are allowed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-II)



To

1.The District Munsif Cum Judicial Magistrate,
Thiruppathur.

2.The Inspector of Police,
Keelachevalpatti Police Station,
Sivagangai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.(2 copies)

+1CC TO MR.A.BANUMATHY, ADVOCATE IN S.R.NO.85103.

LS

DS SKN SAR-2 10.10.2018 3P/7C

Cr1.O.P.[MD].Nos.16212 of 2018
and 16340 of 2017
18.09.2018