



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2019

CORAM

WEB COPY

**THE HONOURABLE MR. JUSTICE B. PUGALENDHI**Cr1.O.P. (MD) Nos. 23590 of 2015 & 312 of 2016andM.P. (MD) No. 1 of 2015andCr1.M.P. (MD) No. 164 of 2016**Cr1.O.P. (MD) No. 23590 of 2015:**

P.Vinoth Kumar

... Petitioner

Vs.

1.State rep. by  
The Inspector of Police,  
All Women Police Station,  
Usilampatti,  
Madurai District.  
Crime No.64 of 2015

2.Vijayalakshmi

... Respondents

**Prayer:** Petition filed under Section 482 of the Code of Criminal Procedure to call for the entire records pertaining to the case in Crime No.64 of 2015 on the file of the Inspector of Police, All Women Police Station, Usilampatti, Madurai District and quash the same.

For Petitioner : Mr.R.Anand

For Respondents : Mr.M.Chandrasekaran  
Additional Public Prosecutor for R.1**Cr1.O.P. (MD) No. 312 of 2016:**

A.Vijayalakshmi

... Petitioner

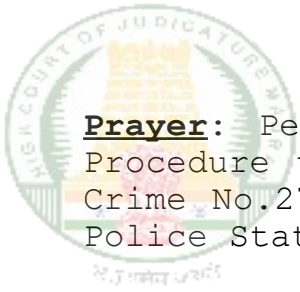
Vs.

1.State rep. by  
The Inspector of Police,  
Rural Police Station,  
Usilampatti, Madurai District.  
Crime No.272 of 2015

<https://hcservices.ecourts.gov.in/hcservices/>

2.R.Prema

... Respondents



**Prayer:** Petition filed under Section 482 of the Code of Criminal Procedure to call for the entire records pertaining to the case in Crime No.272 of 2015 on the file of the Inspector of Police, Rural Police Station, Usilampatti, Madurai District and quash the same.

For Petitioner : No representation

For Respondents : Mr.M.Chandrasekaran  
Additional Public Prosecutor for R.1

Mr.R.Anand for R.2

**COMMON ORDER**

Crl.O.P.(MD)No.23590 of 2015 has been filed by one P.Vinothkumar, challenging the proceedings pending against him in Crime No.64 of 2015, lodged by one Vijayalakshmi, before the Inspector of Police, All Women Police Station, Usilampatti, Madurai.

2. Crl.O.P.(MD)No.312 of 2016 has been filed by the said Vijayalakshmi challenging the proceedings pending against her in Crime No.272 of 2015, lodged by one R.Prema / mother of the said Vinothkumar, before the Inspector of Police, Rural Police Station, Usilampatti, Madurai.

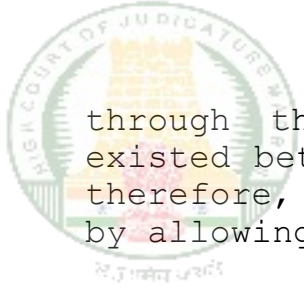
3. It appears that Crime Nos.64 & 272 of 2015 are case and counter and the out of a dispute among two families, they came to be registered. Therefore, both the petitions are heard together and are disposed of by way of this common order.

4. The learned Additional Public Prosecutor, on instructions, submits that the case in Crime No.64 of 2015 has been referred as mistake of fact, based on the statement of the complainant / Vijayalakshmi.

5. Hence, no further order is required to be passed in Crl.O.P.(MD)No.23590 of 2015, since the case in Crime No.64 of 2015 itself has been closed. Accordingly, Crl.O.P.(MD)No.23590 of 2015 stands closed.

6. Insofar as Crl.O.P.(MD)No.312 of 2016 is concerned, the petitioner in Crl.O.P.(MD)No.23590 of 2015 submitted that in view of the compromise arrived at between the parties, his mother / complainant in Crime No.272 of 2015 is also not interested in proceeding with the complaint. The learned Counsel for the petitioner in Crl.O.P.(MD)No.23590 of 2015 has also filed an affidavit of the complainant in Crime No.272 of 2015, who is the second respondent in Crl.O.P.(MD)No.312 of 2016 that she is not interested in proceeding with the case in Crime No.272 of 2015.

7. The said P.Prema is also present before this Court and her identity is verified by the learned Additional Public Prosecutor,



through the respondent police. She submitted that the dispute existed between the two families is no longer under subsistence and therefore, consented for quashing the case in Crime No.272 of 2015, by allowing CrI.O.P.(MD)No.372 of 2016.

8. In view of the specific stand taken by the said P.Prema / complainant in Crime No.272 of 2015, CrI.O.P.(MD)No.372 of 2016 is allowed and the proceedings pending in Crime No.272 of 2015 stands quashed.

9. In fine, CrI.O.P.(MD)No.23590 of 2015 stands closed and CrI.O.P.(MD)No.372 of 2016 stands allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1.The Inspector of Police,  
All Women Police Station,  
Usilampatti,  
Madurai District.

2.The Inspector of Police,  
Rural Police Station,  
Usilampatti,  
Madurai District.

+1CC TO Mr.R.Anand, Advocate, SR No.56437

CrI.O.P.(MD)Nos.23590 of 2015  
& 312 of 2016  
22.03.2019

gk  
SP/05.04.2019/3P.4C