



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.12264 of 2019

and

CrI.M.P.(MD) No.7684 of 2019

WEB COPY

Dr.Anbukkarasi

... Petitioner/Defacto Complainant

Vs

1.The State rep. by

The Inspector of Police,
All Women Police Station,
Pattukkottai,
Thanjavur District.
Crime No.25/2011

... Respondent/Complainant

2.M.Manokaran

3.M.Srasuvathi

4.G.Parvathi

... Respondents/Accused Nos. 2 to 4

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to the charge sheet in C.C.No.312 of 2018 on the file of the Judicial Magistrate, Pattukottai and quash the same against the accused namely A1-M.Manoharan, S/o.Manickam, A2.M.Saraswathi W/o.Manickam and A3-G.Barrathi W/o.Gnanaprakasam as settled.

For Petitioner : Mr.Doraisamy

For Respondents : Mr.K.Suyambulinga Bharathi,
G.A. (CrI. Side) for R1

O R D E R

This petition has been filed by the defacto complainant to quash the charge sheet in C.C.No.312 of 2018 on the file of the Judicial Magistrate, Pattukottai and quash the same against the accused namely A1-M.Manoharan, S/o.Manickam, A2.M.Saraswathi W/o.Manickam and A3-G.Barrathi W/o.Gnanaprakasam as settled.

2.The learned counsel appearing for the petitioners would submit that pursuant to the complaint lodged by her, a case in crime No.25 of 2011 for the offence under Sections 498(A) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 2002 and after investigation, the 1st respondent filed final report in C.C.No.765 of 2012 against A1 to A6 and since, some of the accused/A1 to A3 were absent, the case against them has been split up and taken on file in 312 of 2018. Thereafter, the original case in C.C.No.765 of 2012 against A4 to A6 has been ended in acquittal. Now, A1 to A3 faced the trial before the learned Judicial Magistrate No.II, Pattukottai.



3.The learned counsel appearing for the petitioner would further submit that she is the wife of the 1st accused and 2nd and 3rd accused are her in-laws. During the trial, the defacto complainant wanted to reunion with her husband and the entire issues has been settled. Therefore, the defacto complainant herself come forward with this petition to quash proceedings against A1 to A3 also.

4.Heard the learned Government Advocate (criminal side).

5.Considering the facts and circumstances of the case, this Court is of the view that pendency of C.C.No.312 of 2018 would not serve any purpose. Therefore, this Court is inclined to quash the proceedings against A1 to A3.

6.Accordingly, this criminal original petition is allowed and the proceedings in C.C.No.312 of 2018 on the file of the Judicial Magistrate No.II, Pattukotti is quashed as against the respondents 2 to 4/A1 to A3. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Judicial Magistrate No.II,
Pattukkottai.
2. The Inspector of Police,
All Women Police Station,
Pattukkottai,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1.CC. To Mr.V.Kannan, Advocate in SR No.84976

Order made in

CRL.O.P (MD) No.12264 of 2019

03.09.2019

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MK (17.09.2019) 2P 5C