



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

CRL OP(MD). No.10029 of 2015

and

MP(MD)Nos.1 and 2 of 2015

WEB COPY

1.A.Balasubramaniyan
2.B.Ramavel Manohar
3.R.Pathmalakshmi
4.A.Pattamal

... Petitioners/Accused No.1 to 4

Vs

P.R.P.Palani

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records in C.C.No.239 of 2014, on the file of the Judicial Magistrate, Sivagiri, Tirunelveli District and quash the same, as illegal and arbitrary.

For Petitioners

: Mr.S.Madhavan

For Respondent

: Mr.G.Karuppasamy Pandian

ORDER

This petition has been filed to quash the proceedings in C.C.No.239 of 2014, on the file of the learned Judicial Magistrate, Sivagiri, Tirunelveli District.

2. There is a civil dispute between the petitioners 3 and 4 on the one hand and the respondent herein on the other. The second petitioner is the husband of the third petitioner. The first petitioner is the father of the second petitioner. On behalf of the petitioners 3 and 4, the first petitioner issued a legal notice and the same was also duly published in a local daily. Earlier, petitioners 3 and 4 had given a complaint against the respondent before the local police. The same was received by the local police and CSR receipt was also issued. While effecting the public notice, instead of mentioning the CSR, the first petitioner herein had mentioned it as a crime number. Obviously, this caused the impression that the husband herein is an accused in a criminal case. Therefore, the respondent institute the impugned private complaint for defamation. To quash the same, this Criminal Original Petition came to be filed.

3. This Court suggested to the respondent that if the first petitioner herein tendered a written apology, he can consider and close the matter. I am happy to record that the suggestion given by this Court was accepted by the respondent. Today, the first



petitioner issued a hand written letter addressed to the respondent in which, the first petitioner has stated that he sincerely apologies for the mistake committed by him. Since the first petitioner has offered his apology, the issue should be given quietus. Since the respondent has also gracefully accepted the same, the continuance of the impugned prosecution is not really warranted. In this view of the matter, the proceedings in C.C.No.239 of 2014, stand quashed. This Court places on record, its appreciation of the gesture shown by the respondent/complainant.

4.Accordingly, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

sjj

To

1.The Judicial Magistrate, Sivagiri, Tirunelveli.

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

+1 CC to M/s.S.MADHAVAN, Advocate (SR-91495[F] dated 04/10/2019)
+1 CC to M/s.G.KARUPPASAMY PANDIYAN, Advocate (SR-91537[F] dated 04/10/2019)

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SMA/13/12/19/2P/5C