



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2019

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl OP(MD)No.14815 of 2015

and

MP(MD)Nos.1 & 2 of 2015

WEB COPY

1.Bose

2.Subramaniyan

3.Bala Subramaniyan

4.Karthick

... Petitioners / Accused

Vs.

1.State, through the Sub Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.

...1st Respondent / Complainant

2.Rathina Sapabathy

... 2nd Respondent /
Defacto complainant

Prayer : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records in charge sheet in STC No.265 of 2015 on the file of the Judicial Magistrate cum District Munsif, Thirumayam and quash the same.

For Petitioners : Ms.N.Shanthipriya

For Respondents : Mr.A.Robinson,

Government Advocate (crl.side) for R1
Ms.S.Vijayasanthi for R2

ORDER

The petitioners herein are facing trial in STC No.265 of 2015 on the file of the Judicial Magistrate cum District Munsif, Thirumayam for the offences under Sections 294(b), 323, 506(i) IPC. To quash the same, this Criminal Original Petition has been filed. The second respondent herein namely, Rathina Sapabathy, is the defacto complainant.

2.When the matter was taken up for hearing, it was submitted that Rathina Sapabathy is facing trial in STC No.159 of 2015 on the file of the very same Court. It appears that though the occurrence is said to have taken place on some other date, the incidents are related to each other. It was suggested that since the issue does not appear to be a major one, both the cases can be given a quietus. Therefore, the case was adjourned to get



instructions from the parties. Thereafter, it was stated that the defacto complainant in the counter case had stated that he has no objection for quashing the both cases.

3. Since the parties have amicably resolved the issue between themselves, STC Nos.265 of 2015 and 159 of 2015 on the file of the Judicial Magistrate cum District Munsif, Thirumayam stand quashed. It is made clear that the civil dispute pending between the parties will have to be dealt with entirely on its own merits and in accordance with law by the jurisdictional civil court. Accordingly, this criminal original petition stands allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Skm

To

1.The Sub Inspector of Police, Thirumayam Police Station,
Pudukkottai District.

2.The Judicial Magistrate cum District Munsif, Thirumayam.

+1 CC to M/s.N. SHANTHI PRIYA, Advocate (SR-99599[F] dated
20/11/2019)

+1 CC to M/s.S. VIJAYASHANTHI, Advocate (SR-99754[F] dated
20/11/2019)

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