



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2019

CORAM

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P(MD)No.4451 of 2017

and

CrL.M.P(MD)Nos.3174 and 3175 of 2017

1.Malar

2.G.Elango

3.P.Rajendran

4.Senthil

5.Gunasekaran

6.Solai

7.Ragavi

8.Minor Sathiya Seelan

(Minor 8th respondent is represented by his
mother and first Petitioner herein Malar)

...Petitioners/Respondents 2 to 7,9 and 10

Vs.

S.Kumaraguru

...Respondent/Complainant

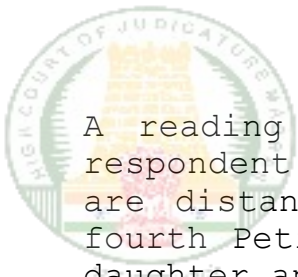
PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in connection with the C.C.No.18 of 2017 before the learned District Munsif-cum-Judicial Magistrate,Thirumayam, Pudukkottai District and quash the same.

For Petitioners : Mr.S.Alagusundar

For Respondent : Mr.RMS.Sethuraman

ORDER

This Criminal Original Petition has been filed seeking to quash the criminal proceedings initiated by the respondent by way of filing a private complaint against the Petitioners for the offence under Sections 294(b), 324, 342, 448, 506(ii), 378 and 307 of IPC.



A reading of the complaint shows that the first Petitioner and respondent are husband and wife. The second and sixth Petitioners are distant relatives, the third Petitioner is the father-in-law, fourth Petitioner is brother-in-law and Petitioners 7 and 8 are the daughter and son of the respondent.

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2.It is alleged in the complaint that the respondent was attacked by the Petitioners and there was already a matrimonial dispute between the parties.

3.Heard the learned counsel for the Petitioners and the learned counsel appearing on behalf of the respondent.

4.Taking into consideration the facts and circumstances of the case and also the fact that there was an existing matrimonial dispute and wild allegations have been made against the wife, son, daughter, father-in-law and brother-in-law and the allegation made in the complaint being inherently improbable, this Court is inclined to interfere with the proceedings. The continuation of the proceedings will not be in the interest of either of the parties and no purpose will be served if the proceedings are allowed to be continued, at this stage. In the interest of justice, the proceedings initiated by the respondent requires to be quashed.

5.In the result, the proceedings in C.C.No.18 of 2017, on the the filed of District Munsif-cum-Judicial Magistrate,Thirumayam, Pudukkottai District is hereby quashed and the Criminal Original Petition is allowed. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(Records)

// True Copy //

Sub Assistant Registrar(CS)

vsn

To

The District Munsif-cum-Judicial Magistrate,
Thirumayam,Pudukkottai District.

+1CC TO MR.S.ALAGUSUNDAR, Advocate Sr. No. 100730

ORDER MADE IN

CRL.O.P(MD)No.4451 of 2017

and CrL.M.P(MD)Nos.3174 and 3175 of 2017

22.11.2019

PK(CO)

TR(09.12.2019)2P 3C

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