



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.4221 of 2020

1.Mathan

2.Renganathan

... Petitioner

-vs-

1.State represented by

The Inspector of Police,

All Women Police Station, Tiruchendur

Tuticorin District. (Crime No.08/2015)

2.Rani

3.Manimegalai

... Respondents

PRAYER: Petition filed under Section 482 of the Criminal Procedure Code to call for the records in the S.C.No.136 of 2017 before the learned Mahila Court, Tuticorin and quash the same as illegal.

For Petitioner: Mr.G.Pradeep Dhinakaran

For R1

: Mr.A.Robinson

Government Advocate (Crl.side)

For R2 and R3

: Mr.H.Lakshmi Shankar

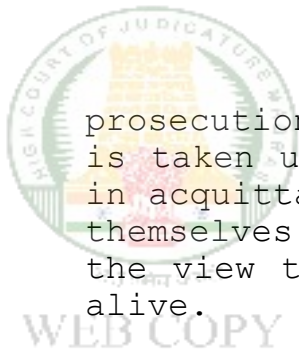
O R D E R

This Criminal Original Petition has been filed for quashing the proceedings in S.C.No.136 of 2017 on the file of the learned Mahila Court Thoothukudi District for the offences under Sections 376 of IPC read with 511 and 506(ii) of IPC.

2.The petitioners are present in person before me. Likewise, the second respondent as well the victim and also Thiru. Sekar, the husband of the second respondent/ father of the victim are present.

3.On carefully going through the enclosed materials, I am of the view that it is not a case that will attract the offence under Section 376 of IPC. It would attract under Section 354 of IPC that is outraging of modesty. The victim is a deaf and dumb woman. The father of the victim as well as the mother of the victim clearly state that on the ground of the pendency of the criminal case, they are not able to finalize the marriage alliance of their daughter. They, therefore want this case to be given a quietus.

4.I wanted to know the response of the victim. The victim in her sign language communicated to me that the case can be closed. From this one can note that the principal witnesses for the



prosecution are not likely to support the prosecution case, when it is taken up for trial. One can be certain that this case will end in acquittal. In fact the victim as well as the defacto complainant themselves do not want to pursue this matter. Therefore, I am of the view that no purpose will be served in keeping the prosecution alive.

5.Inorder to secure the ends of justice, the impugned prosecution stands quashed and this Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar (crl side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pnn

To

1. The Inspector of Police, All Women Police Station,
Tiruchendur, Tuticorin District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- 3.The Mahila Court, Tuticorin.

+1 CC to Mr.G.PRADEEP DHINAKARAN, Advocate (SR-10652[F] dated
09/03/2020)

Crl.O.P. (MD)No.4221 of 2020

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VB(20.03.2020) 2P 5C