



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 07.10.2020
CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P (MD)No.10900 of 2020

1.Murugan
2.Latha

... Petitioners/Accused Nos.1 & 2

Vs

1.State rep. by
The Inspector of Police,
AWPS Srirangam, Trichy City.
(in Crime No.24/2019)

2.Sasikala

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records and quash the proceedings in P.R.C.No.71 of 2020 on the file of the learned Judicial Magistrate, Additional Mahila Court, Tiruchirappalli pending against the petitioners/accused.

For Petitioner : Mr.P.Ganapathi Subramanian

For R1 : Mr.M.V.Chandra Sekaran
Government Advocate

For R2 : Mr.Ramesh Kumar
for Mr.Loganathan

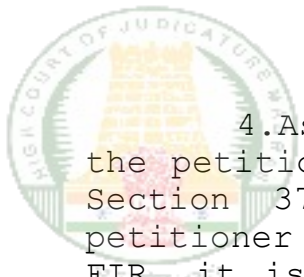
ORDER

Heard the learned counsel on either side.

The petitioners are facing committal proceedings in P.R.C.No.71 of 2020 on the file of the Judicial Magistrate/Additional Mahila Court, Trichirapalli for the offences under Sections 294(b), 506(2), 376(1) and 451 of IPC.

2.The first petitioner is the son-in-law of the second petitioner. The second respondent herein namely Sasikala is the defacto complainant. The first petitioner is employed in BHEL as fitter. The first petitioner got married one Thilakavathi daughter of the second petitioner herein. Sasikala is the cousin of Thilakavathi.

3.The case of the defacto complainant is that the first petitioner gave false promise to marry and that he had sexual relationship with her.



4.As rightly pointed out by the learned counsel appearing for the petitioners, this will definitely not attract the offence under Section 376(1) of IPC. The second respondent knew the first petitioner that he had already married Thilakavathi. In fact, in the FIR, it is mentioned that the second respondent used to visit the first petitioner and his wife Thilagavathy. Therefore, the question of the first petitioner giving a false promise to marry does not arise. Be that as it may, the second respondent appeared before this Court through video conferencing and submitted that she has no objection for quashing the impugned proceedings.

5.The learned counsel Thiru.Ramesh Kumar on behalf of Thiru.Loganathan identified the second respondent. The learned counsel appearing for the first respondent also submitted that the issue has been resolved.

6.When the parties have chosen to resolve the issue between themselves, there is no point in keeping the impugned prosecution alive. It stands quashed. This Criminal Original Petition is accordingly allowed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Inspector of Police,
AWPS Srirangam, Trichy City.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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