



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2020

CORAM:

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

Crl.O.P (MD)No.11371 of 2020

1.Vellaipandi

2.Siva @ Yedathandi

... Petitioners/Accused Nos 1&2

Vs.

1.The Inspector of Police,  
All Women Police Station,  
Usilampatti, Madurai District.  
(Crime No.3 of 2020)

...1<sup>st</sup> Respondents/Complainants

2.Eswari

...2<sup>nd</sup> Respondent/Defacto Complainant

**PRAYER:** Petition filed under Section 482 Code of Criminal Procedure, to call for the records relating to the impugned F.I.R., registered in Crime No.3 of 2020, dated 23.03.2020 on the file of the first respondent and quash the same.

|                 |                                                             |
|-----------------|-------------------------------------------------------------|
| For Petitioners | : Mr.R.Pon Karthikeyan                                      |
| For R1          | : Mr.M.V.Chandrasekaran,<br>Government Advocate (Crl. Side) |
| For R2          | : Mr.P.Vinoth                                               |

### **ORDER**

Heard the learned counsel on either side.

2.This criminal original petition has been filed for quashing the impugned First Information Report registered on the file of the first respondent.

3.This Court heard the defacto complainant through video conferencing and also her mother. It appears that the petitioners are close relatives. There is also a pending civil dispute. It appears that due to the same, the impugned FIR came to be registered. The victim girl as well as her mother categorically told this Court that the FIR can be quashed and that they are not interested in pursuing the matter. When the affected party and her family are not willing to pursue the matter, no purpose will be served in keeping the prosecution alive. The parties appear to be poor villagers. They are eking out their livelihood by doing coolie work. Making them to face the criminal trial can even ruin their lives. This Court also heard the mother of the first petitioner/Vellaipandi and wife of the second petitioner/Siva @ Yedathandi. Both the womenfolk assured this Court that they would ensure that the petitioners will behave properly in future. Taking note of the overall interest of all the parties concerned, the



impugned First Information Report is quashed. The criminal original petition is allowed.

Sd/-

Assistant Registrar ( )

// True Copy //

WEB COPY

/ /2020

Sub Assistant Registrar(CS)

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**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,  
All Women Police Station,  
Usilampatti,  
Madurai District.
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.R. PON KARTHIKEYAN, Advocate ( SR-20091[F] dated 15/10/2020 )

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BK(CO)  
KB(02.11.2020) 2P 4C