



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)Nos.8206 & 19350 of 2018

and

CRL.M.P.(MD)Nos.3693, 8741 & 8742 of 2018

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CRL.O.P.(MD)No.8206 of 2018

1. M.Mohamed Fazal
2. Abitha Begum
3. Mohammed Pucks
4. Mohammed Yunus
5. Benazir Nisha
6. Sahul Hameed

... Petitioners/Accused Nos.1to 6

Vs.

Shahina Towlath

... Respondent/Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to D.V.No.3 of 2017 on the file of the Judicial Magistrate, Additional Mahila Court, Madurai and quash the same as illegal.

For Petitioners : Mr.J.Sulthan Basha,
for M/s.Ajmal Associates.

For Respondent : Mr.R.Babu Jaganath

CRL.O.P.(MD)No.19350 of 2018

1. M.Mohamed Fazal
2. Abitha Begum
3. Mohammed Pucks
4. Mohammed Yunus
5. Satthar Rahim
6. Benazir Nisha

... Petitioners/Accused Nos.1to 6

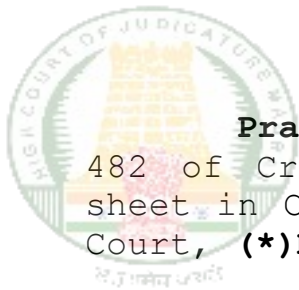
Vs.

1. The State rep. by,
The Inspector of Police,
All Women police station,
Melur, Madurai District.
(Crime No.83 of 2016)

... Respondent/Complainant

2. Sahina Towlath

... 2nd Respondent/Defacto complainant



Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records relating to the charge sheet in C.C.No.33 of 2018 on the file of the Judicial Magistrate Court, (*)Melur and quash the same as illegal.

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For Petitioners : Mr.J.Sulthan Basha,
for M/s.Ajmal Associates.

For R-1 : Mr.A.Robinson,
Government Advocate(Crl. Side).

For R-2 : Mr.R.Babu Jaganath

C O M M O N O R D E R

These criminal original petitions have been filed for quashing the impugned proceedings.

2. Sahina Towlath is the complainant in both these cases. She is present in person before me. She is identified by her counsel Mr.R.Babu Jaganath.

3. It is stated that the parties have amicably resolved the issues between them. The first petitioner had already filed a suit against the complainant herein and the marriage had been dissolved by mutual consent on 04.02.2020.

4. The first petitioner herein handed over a Demand Draft for a sum of Rs.3,50,000/- to the complainant. The complainant Sahina Towlath received the same. Since the issues between the parties have been settled outside the Court, I am of the view that continuance of the impugned proceedings is not warranted.

5. In this view of the matter, both the impugned proceedings stand quashed. The criminal original petitions stand allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

(*)Amended as per order of this Court dated 31.03.2021

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020
Sub Assistant Registrar(CS)



To:

(*) to be substituted the order already despatched on 23.03.2020.

1. The Judicial Magistrate,
Additional Mahila Court, Madurai.
2. The Judicial Magistrate, Melur, Madurai District.
3. The Chief Judicial Magistrate, Madurai.
4. The Inspector of Police,
All Women police station,
Melur, Madurai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+3cc to M/s. AJMAL ASSOCIATES, Advocate SR.No.9744.

+3cc to M/s.R.BABU JAGANATH, Advocate SR.No.10044.

Crl.O.P.(MD)No.8206& 19350 of 2018
02.03.2020

pmu

SDS (17.03.2020) 3P-10C

TR (20.04.2020) 3P-12C