



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P. (MD)No.15887 of 2016

and

CrI.M.P. (MD)No.7622 of 2016

WEB COPY

1.Aatheeswaran @ Athimuthuramlingam
2.Chitra
3.Muthupandi
4.Ramachandran

... Petitioners/Accused
No.1 to 4

-vs-

1.The State through
The Inspector of Police,
Kallikudi Police Station,
Madurai District
(In crime No.160 of 2010)

...1st Respondent/
Complainant

2.Maheswari

...2nd Respondent/Defacto
Complainant

PRAYER: Petition filed under Section 482 of the Criminal Procedure Code to call for the records pertains to Crime No.160 of 2010 on the file of the Inspector of Police, Kallikudi Police Station, Madurai District and quash the same.

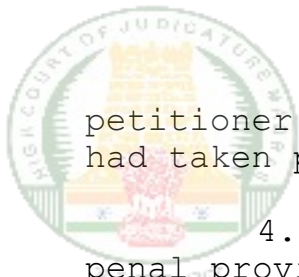
For Petitioner	:	Mr.R.Gowrishankar
For R1	:	Mr.A.Robinson
		Government Advocate (CrI.side)
For R2	:	No appearance

O R D E R

Eventhough, the second respondent has been served and his name has also been printed in the cause list, there is no appearance on her behalf.

2.The petitioners are accused in crime No.160 of 2010 registered on the file of Kallikudi Police Station for the offences under Sections 294(b), 341, 323, 427 and 506(ii) of IPC.

3.I went through the contents of the First Information Report. Even according to the prosecution, the mother of the defacto complainant had spread rumors that there was illicit intimacy with the brother of the defacto complainant and the second



petitioner herein. Angered by the same, the occurrence in question had taken place.

4.It is no doubt true that there has been a infraction of penal provisions of law. But then, more than 10 years have gone by. The petitioners apparently had some justification to feel aggrieved. Since 10 years have elapsed, I am of the view that the petitioners do not deserve to face the agony of trial at this point of time.

5.The learned counsel for the petitioners on instructions stated that the petitioner will take a demand draft for a sum of Rs.5,000/-(Rupees Five Thousand only) favouring the defacto complainant and hand over the same to the first respondent. The first respondent will hand over the same to the second respondent. The petitioners give a further undertaking that they will no longer interfere with the life of the second respondent.

6.Since the petitioners also expressed their sincere regrets for having caused injury to the second respondent and since the petitioners have made sufficient amends for their conduct, the first respondent is directed to file a final report dropping further action in the matter. The jurisdictional magistrate will accept the same and record RCS.

7.This Criminal Original Petition is disposed of on these terms. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pnn

To

1.The Inspector of Police,
Kallikudi Police Station,
Madurai District

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.GOWRI SHANKAR, Advocate (SR-7567[F] dated 21/02/2020)

CrI.O.P. (MD)No.15887 of 2016

AP(02/06/2020) 2P 4C

<https://hcservices.ecourts.gov.in/hcservices/>