



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:07.10.2020

CORAM

THE HONOURABLE Mr.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD).No.20606 of 2016

and

Crl.M.P.(MD).Nos.10476 and 10477 of 2016

WEB COPY

1.Soundariammal

2.Sangaravel

3.Mangala Selvi

4.Dhanalakshmi

... Petitioners/Accused No.2 to 5

Vs

1.The Inspector of Police,
All Women Police Station,
Tirunelveli Town,
Tirunelveli District.
(Crime No.14 of 2014)

...1st Respondent/Complainant

2.Muthamil Selvi

... 2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petitions filed under Section 482 of Cr.P.C, praying to quash the proceedings in C.C.No.95 of 2015 on the file of the learned Judicial Magistrate No.V, Tirunelveli, Tirunelveli District as against the petitioners herein.

For Petitioners : Mr.A.Thiruvadikumar

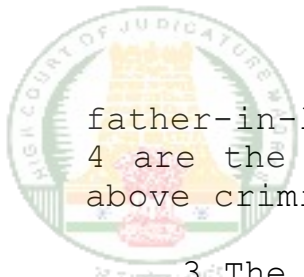
For 1st Respondent : Mr.R.Erottuchamy
Government Advocate (Crl Side)

For 2nd Respondent : No appearance

ORDER

This petition has been filed to quash the proceedings in C.C.No.95 of 2015 on the file of the learned Judicial Magistrate No.V, Tirunelveli, Tirunelveli District, as against the petitioners herein.

2.The petitioners are the accused Nos.2 to 5 and they have been charged with for the offences under Sections 498(A), 294(b) and 506(i) of I.P.C., based on the complaint given by the second respondent, who is none other than the wife of A1. The first petitioner is the mother-in-law and the second petitioner is the



father-in-law of the defacto complainant and the petitioners 3 and 4 are the in-laws of the de-facto complainant. Now, to quash the above criminal proceedings, the present petition has been filed.

3.The learned counsel appearing for the petitioners submitted that the petitioners are in-laws of the defacto complainant. He further submitted that A1 has rejoined with the second respondent. The learned counsel appearing for the petitioners submitted that A1 and the second respondent are living happily, for which, the second respondent/defacto complainant is not willing to proceed further with the criminal case and she has also filed an affidavit to that effect.

4.In the case on hand, the case was registered for the offences under Sections 498(A), 294(b) and 506(i) of I.P.C., it is a matrimonial dispute and the parties have settled the dispute. Now, the second respondent/defacto complainant submitted that she is not willing to prosecute the criminal case. In the above circumstances, continuity of the criminal proceedings would only cause oppression and cause prejudice to the parties, hence, in order to secure the ends of justice, this Court is inclined to quash the criminal proceedings.

5.Accordingly, this Criminal Original Petition is allowed and the criminal proceedings initiated against the petitioners in C.C.No.95 of 2015 pending on the file of the learned Judicial Magistrate No.V, Tirunelveli, Tirunelveli District, is quashed and the affidavit of the second respondent shall form part and parcel of this order. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

Encl:Xerox copy of affidavit of the 2nd respondent
vsg

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 Judicial Magistrate No.V,
Tirunelveli,
Tirunelveli District.

2.The Inspector of Police,
All Women Police Station,
Tirunelveli Town,
Tirunelveli District.

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

+1 cc to Mr.A.Thiruvadikumar , Advocate SR.No.19402

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