



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.03.2020
CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

Crl.O.P(MD) .Nos.11401 of 2018 and 4611 of 2020
and
Crl.M.P. (MD)Nos.5184 and 5185 of 2018,
2625 and 2626 of 2020

Crl.O.P(MD) .No.11401 of 2018

1.Selvi
2.Arputhanantham
3.Vijay Golden Singh
4.Raju
5.Manikandan

... Petitioners

Vs

S.Ponnusamy

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records pertaining to the Private complaint in C.C.No.199 of 2018, pending before the learned Judicial Magistrate Court No.5, Tirunelveli District filed under Section 200 of the Code of Criminal Procedure and quash the same as illegal as against the petitioners alone.

Crl.O.P. (MD)No. 4611 of 2020

1.Ponnusamy
2.Durai Rani

... Petitioners

Vs

1.The State Represented by its
The Inspector of Police,
Pettai Police Station,
Tirunelveli City.
[Crime No.93/2018]

2.Arputhanantham

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the entire records, relating to the impugned proceedings in C.C.No.199 of 2018, on the file of the learned Judicial Magistrate No.5, Tirunelveli and to quash the same insofar as the petitioners are concerned.



For Petitioners (in Crl.O.P.(MD)Nos.11401 of 2018)
& For R2 (in Crl.O.P.(MD)No.4611 of 2020)
: Mr.J.Pandi Durai

For Petitioner (in Crl.O.P.(MD)No.4611 of 2020) &
For Respondent (in Crl.O.P.(MD)Nos.11401 of 2018)
: Mr.M.S.Jeyakarthik

For R1 (in Crl.O.P.(MD)No.4611 of 2020)
: Mr.A.Robinson
Government Advocate (Crl. side)

COMMON ORDER

These Criminal Original Petitions have been filed to quash the proceedings in C.C.No.199 of 2018, respectively on the file of the learned Judicial Magistrate No.V, Tirunelveli District.

2.The police personnel attached to Pettai Police Station had gone to arrest one Pechiammal. She was said to be an accused in a theft case. This was on 08.04.2018. Pechiammal was not to be found in her house. The police party enquired in the neighbourhood and returned. Thiru.Ponnusamy is said to be her counsel. He and his wife had allegedly picked quarrel with the police party. That led to registration of Crime No.93 of 2018, on the file of the Pettai Police Station, for the offences under Sections 341, 294(b), 353 and 506(2) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act, 2002. The same was investigated and had culminated in final report which was taken on file in C.C.No.198 of 2018, on the file of the learned Judicial Magistrate No.V, Tirunelveli. Thiru.Ponnusamy in turn filed a private complaint in C.C.No.199 of 2018, on the file of the very same Court. Both the sets of accused have filed these two quash petitions for quashing the respective proceedings.

3.Thiru.Ponnusamy is a practicing lawyer. He is aged about 64 years. He states that he will send a letter addressed to the Inspector of Police, Pettai Police Station, expressing his regret for what had happened. He also states that he has no objection for quashing the private complaint filed by him. In view of this undertaking given by Thiru.Ponnusamy, I am of the view that the proceedings in C.C.No.198 of 2018 need not continue.

4. In this view of the matter, the proceedings now in C.C.Nos.198 of 2018 as well as 199 of 2018, on the file of the learned Judicial Magistrate No.V, Tirunelveli stand quashed and



these petitions are allowed. Consequently, connected miscellaneous petitions are closed. The letter of regret shall be given within a period of two weeks from the date of receipt of a copy of this order.

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Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sj i

To

1.The Judicial Magistrate No.V, Tirunelveli.

2.The Inspector of Police,
Pettai Police Station,
Tirunelveli City.

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

+1 CC to M/s.J.PANDI DORAI, Advocate (SR-11952[F] dated 17/03/2020)

Crl.O.P(MD).Nos.11401 of 2018 and 4611 of 2020
16.03.2020
(2/2)

MK (29.05.2020) 3P 5C