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CRL.O.P.(MD)NO. 583 OF 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P.(MD)No. 583 of 2017 and

Crl.M.P.(MD)Nos.522 & 523 of 2017

1.N.Mohan

2.R.Lakshmanan

... Petitioners/Accused Nos.1 and 2

Vs.

1. State rep. by,

The Inspector of Police,
Soolakarai police station,
Virudhunagar District.

(Crime No.192 of 2016 ... Respondent/Complainant

2. Vijayalakshmi,

Inspector of Police,
All Women police station,
Virudhunagar.

... Respondent/Defacto complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the charge sheet in C.C.No.308 of 2016 on the file of the learned Judicial Magistrate No.II, Virudhunagar, in Crime No.192 of 2016 dated 26.01.2014 on the file of the first respondent police for the alleged offences under Section 294(b) of I.P.C. and 4(i)(j) of Tamil Nadu Prohibition Act and Section 4 of Women Harassment Act and quash the same as illegal.

For Petitioners

: Mr.T.Lajapathi Roy

For R-1

: Mr.A.Robinson,

Government Advocate(Crl. Side).

For R-2

: Mr.K.P.Narayanakumar

O R D E R

The petitioners are facing trial in C.C.308 of 2016 on the file of the Judicial Magistrate, Virudhunagar, for the offences under Section 294(b) of I.P.C. and Section 4(1)(j) of Tamil Nadu Prohibition Act and Section 4 of Tamil Nadu Prohibition of Women Harassment Act 2002.

2. Mrs.Vijayalakshmi is the defacto complainant in this case. She retired as Inspector of Police, All Women police station, Virudhunagar. Based on her complaint, Crime No.192 of 2016 was registered by the Soolakarai police station, for the offences under Section 294(b) of I.P.C. and Section 4(1)(j) of Tamil Nadu Prohibition Act and Section 4 of Tamil Nadu Prohibition of Women



Harassment Act 2002. The same was investigated and final report was filed. Cognizance of the offences was also taken. To quash the same, this criminal original petition has been filed.

3. I made it clear that the petitioners will have to convey their apologies unconditionally in person to the defacto complainant Mrs.Vijayalakshmi. The second petitioner is present in person before this Court. He conveyed his apologies in person to the second respondent. The first petitioner Mohan who is abroad has also sent an affidavit conveying apologies to the defacto complainant. The defacto complainant is gracious enough to accept the said apologies. She states that she has no objection for quashing the impugned proceedings. She has forgiven the petitioners.

4. Therefore the impugned proceedings stand quashed. The criminal original petition stands allowed, accordingly. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Crl Side)

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/ /2020

Sub Assistant Registrar(CS)

Pmu

To:

1. The Judicial Magistrate No.II,
Virudhunagar.
 2. The Inspector of Police,
Soolakarai police station,
Virudhunagar District.
 3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.K.P.NARAYANAKUMAR, Advocate (SR-4576[F] dated 04/02/2020)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-4861[F] dated 05/02/2020

Crl.O.P.(MD)No.583 of 2017
03.02.2020

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