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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.09.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

CrI.OP.No.20463/2016 & CrI.MP.No.9553/2016

[Video Conferencing]

1.Malliga
2.Sathiya
3.Muthu
4.Prasad

... Petitioners

Versus

1.State Rep.
By the Sub Inspector of Police,
B-1, Police Station,
Dharmapuri,
Dharmapuri District.

2.Nithiya

... Respondents

Prayer : - Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records and quash the proceedings in C.C.No.15/2016 on the file of the Learned Judicial Magistrate-I, Dharmapuri, Dharmapuri District.

For Petitioners	:	Mr.R.Arun Kumar
For R1	:	Mr.E.Raj Thilak
		Additional Public Prosecutor
For R2	:	No appearance

ORDER

- (1) There is no representation on behalf of the 2nd respondent herein / defacto complainant. It is only understandable since the 2nd respondent herein / defacto complainant is the daughter-in-law of the 1st petitioner herein. Various differences happened, since the 2nd respondent herein / defacto complainant had remarried after the death of her husband and this led to a complaint being lodged before the 1st respondent police who also registered a FIR in Crime No.63/2015 on 10.02.2015 as against the petitioners herein under Sections 341, 294[b], 323, 355, 506[i] IPC on 03.03.2014.



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- (2) It is the case of the 2nd respondent herein / defacto complainant that when she was proceeding from Annasagaram to Dharmapuri Town to buy grocery, the petitioners herein had asked the 2nd respondent herein / defacto complainant to get into the vehicle in which they were travelling and when she refused, she was abused and the offences attracting the provisions under the aforesaid sections appeared to have been committed. The petitioners are doing coolie work in the locality. The 2nd respondent herein / defacto complainant is the daughter-in-law of the 1st petitioner/A1. There had been some altercation owing, as aforesaid, to the fact that the 2nd respondent herein / defacto complainant had remarried after the death of her husband/son of the 1st petitioner herein/A1.
- (3) Keeping this petition on the file of this Court would be no avail to either the petitioners herein or the 2nd respondent herein / defacto complainant.
- (4) The learned Additional Public Prosecutor's assistance was sought to find out the status of CC.No.15/2016 on the file of the learned Judicial Magistrate No.1, Dharmapuri.
- (5) The learned Additional Public Prosecutor appearing for the 1st respondent orally informed that in spite of best efforts, the 1st respondent police was not able to locate either the petitioners herein /A1 to A3 or the 2nd respondent herein / defacto complainant. They all seem to have left.
- (6) As stated, a quarrel among family members had occurred. But, it should not reach the Police Station and should not reach the Court.
- (7) I find good reason to interfere with the further proceedings in CC.No.15/2016 pending on the file of the learned Judicial Magistrate No.1, Dharmapuri.
- (8) In the result, the Criminal Original Petition stands allowed and the further proceedings in CC.No.15/2016 pending on the file of the learned Judicial Magistrate No.1, Dharmapuri, is hereby quashed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

AP



To

1. The Judicial Magistrate-I,
Dharmapuri, Dharmapuri District.

2. The Sub Inspector of Police,
B-1, Police Station,
Dharmapuri,
Dharmapuri District.

3. The Public Prosecutor,
High Court, Madras.

Crl.OP.No.20463/2016

GPL (CO)
K.RK. (12.10.2021)