

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P. No.10307 of 2021

Anjalai @ Anjalai Devi

... Petitioner

Versus

1.The State rep.by,
The Inspector of Police,
Mangalamedu Police Station,
Perambalur District.
(Crime No.21 of 2017)

2.Sugan
3.Kengachalam
4.Navasakthi
5.Theasingu Raja
6.Mahendran
7.Chinraj
8.Vadivel @ Alagudurai
9.Tamilselvam
10.Saravanan
11.Valliyammai

... Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records in connection with the C.C.No.313 of 2019 on the file of the learned Judicial Magistrate, Additional Mahila Court, Perambalur and quash the same.

For Petitioner : Mr.M.Vijaya Ragavan

For Respondents: Mr.A.Damodharan, (for R1)
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed seeking a direction to call for records in connection with the C.C.No.313 of 2019 on the file of the learned Judicial Magistrate, Additional Mahila Court, Perambalur and quash the same.

2.There is a case in counter in C.C.No.313 of 2019 and in C.C.No.155 of 2019 between the parties. Both the parties have now decided to compromise the dispute, except the respondent no.9, since he died on 16.12.2019. The petitioner/de-facto complainant has filed an affidavit before this Court dated

03.05.2021 stating that she is withdrawing the case and also she undertakes that she will not file any other case with regard to his complaint dated 17.01.2017. She is present before the Court through video conferencing and she also confirms the fact that the matter has been compromised between the parties and the C.C.No.313 of 2019 can be quashed.

3. Similarly, it is submitted that the sixth respondent has also given a complaint in Crime No.18 of 2017 against the petitioner / de-facto complainant and the same has been filed in C.C.No.155 of 2019. The sixth respondent has given an undertaking affidavit dated 03.05.2021, to the effect that he is also withdrawing the case in C.C.No.155 of 2019, in another counter case filed before this Court. The sixth respondent is present before this Court through video conferencing and he confirms that the case is withdrawn and the C.C.No.155 of 2019, can be quashed.

4. The learned counsel for the petitioner and respondents 2 to 11 also reiterated the very same stand taken by the parties.

5. Taking into consideration the facts and circumstances of the case and also of the fact that no useful purpose will be served by keeping the cases in CC. No.313 of 2019 and C.C. No.155 of 2019 respectively, pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Perambalur.

6. Accordingly, the Criminal Original petition is allowed, by quashing the C.C.No.313 of 2019 pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Perambalur.

Sd/-

Assistant Registrar (CS-VII)

//True copy//

Sub Assistant Registrar

klt

To

1. The Judicial Magistrate,
Additional Mahila Court,
Perambalur.
2. The Inspector of Police,
Mangalamedu Police Station,
Perambalur District.

3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.C.Neethimozhi, Advocate SR.No.27836

CRL.O.P.No.10307 of 2021

SS (CO)
GMY (06/07/2021)



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