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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P.(MD)No.1212 of 2021

1. Mariappan
2. Alagarsamy
3. Kanthasamy
4. Muthalammal
5. Gunaseelan

... Petitioners/Accused Nos.1 to 5

Vs.

1. The State rep. By,
The Inspector of Police,
Kayathar police station,
Tuticorin District.
(Crime No.155 of 2016)

... 1st Respondent/ Complainant

2. Jayalakshmi

... 2nd Respondent / Defacto
Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for records relating to the charge sheet in **(*) S.C.No.202** of 2017 on the file of the **(*)(*)Additional District Court No.II, Tuticorin** and quash the same.

For Petitioners	: Mr.C.Susi Kumar
For R-1	: Mr.M.Sakthi Kumar, Government Advocate.
For R-2	: Mr.R.Maheswaran

O R D E R

This criminal original petition has been filed for quashing the proceedings in **(*)S.C.No.202** of 2017 on the file of the **(*)(*)Additional District Court No.II, Tuticorin**.

2. The defacto complainant Jayalakshmi who has been shown as the second respondent is presently bedridden and appeared before this Court through video conferencing. She has been duly identified by Mr.V.Arumugam, SI, attached to Kayathar police station. The defacto complainant has no objection for quashing the impugned proceedings. The parties have filed a joint compromise memo dated 23.11.2020. Since the defacto complainant herself does not want to pursue the matter, no purpose will be served in keeping the impugned prosecution alive.



3. Therefore, the impugned proceedings are quashed. This criminal original petition is allowed.

Sd/-

Assistant Registrar (CO)

(*) Amended as per the order of this court dated 07/06/2022 made in Crl.MP(MD).No. 5795/2022 in CRL.OP(MD).No. 1212/2021

Sd/-

Assistant Registrar (CS-III)

(*) (*) Amended as per the order of this court dated 01/08/2022 made in Crl.MP(MD).No. 8868/2022 in CRL.OP(MD).No. 1212/2021

Sd/-

Assistant Registrar (CS-III)

/ /2022

Sub Assistant Registrar(CS)

PMU

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 be Substituted the order already despatched on 26/11/2021

(*) (*) To be Substituted the order already despatched on 01/08/2022

To:

- 1.The Additional District Court No.II, Tuticorin.
2. The Judicial Magistrate No.II, Kovilpatti.
3. The Inspector of Police,
Kayathar police station, Tuticorin District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P.(MD)No.1212 of 2021
17.11.2021

RK/PM(25/11/2021) 2P 4C

KB(28/06/2022) 2P 4C

RD(16/08/2022) 2P 5C