



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2021

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

Crl.O.P.(MD)No.2288 of 2021

WEB COPY

1. Subramaniyan
2. Muthusamy
3. Gunasekaran
4. Ayyadurai
5. Shanthi W/o.Makesh

... Petitioners / Accused Nos.1 to 5

Vs.

1. The Inspector of Police,  
Pappanadu police station,  
Thanjavur District.  
(Crime No.23 of 2015)

... 1<sup>st</sup> Respondent / Complainant

2. Shanthi  
W/o.Durairaju

... 2<sup>nd</sup> Respondent /  
Defacto Complainant

**Prayer:** Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the case in C.C.No.15 of 2016 on the file of the District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District and quash the same as against the petitioners.

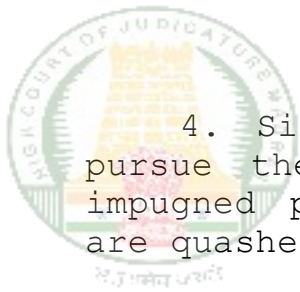
|                |                                                       |
|----------------|-------------------------------------------------------|
| For Petitioner | : Mr.M.Pitchai Muthu                                  |
| For R-1        | : Mr.A.Albert James,<br>Government Advocate(Crl side) |
| For R-2        | : Mr.P.Maharaja                                       |

### O R D E R

Heard the learned counsel on either side.

2. This criminal original petition has been filed for quashing the proceedings in C.C.No.15 of 2016 on the file of the District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District.

3. The defacto complainant Shanthi is present in person before me. She has been duly identified by Mr.C.Lakshmanan, PC-1387, attached to the first respondent police station. The parties have filed a joint compromise memo. The defacto complainant states that she does not want to pursue the matter.



4. Since the defacto complainant herself does not want to pursue the matter, no purpose will be served in keeping the impugned prosecution alive. Therefore, the impugned proceedings are quashed. This criminal original petition is allowed.

Sd/-

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Assistant Registrar (Records)

// True Copy //

/ /2021

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:**

1. The District Munsif cum  
Judicial Magistrate,  
Orathanadu, Thanjavur District.
2. The Inspector of Police,  
Pappanadu police station,  
Thanjavur District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD) No.2288 of 2021  
14.12.2021

RK(27/12/2021) 2P 4C