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CRL.O.P.(MD)NO.5092 OF 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2021

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P.(MD)No.5092 of 2021 and
CRL.M.P.(MD)No.2921 of 2021

S.Senthilkumar

... Petitioner / Sole Accused

Vs.

1. The State rep. By,
The Inspector of Police,
All Women police station,
Thallakulam, Madurai City.
(Crime No.55 of 2019)

... Respondent / Complainant

2. xxx

... 2nd Respondent /
Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the committal proceedings in P.R.C.No.175 of 2020 pending enquiry on the file of the learned Additional Mahila Court(JM) Level, Madurai and quash the same.

For Petitioner	: Mr.M.Solaisamy
For R-1	: Mr.M.Sakthi Kumar, Government Advocate.
For R-2	: Ms.M.B.Priyadharshini

O R D E R

The petitioner has filed this criminal original petition for quashing the proceedings in P.R.C.No.175 of 2020 on the file of the Additional Mahila Court(Judicial Magistrate Level), Madurai.

2. The defacto complainant is present in person before this Court. She has been duly identified by her counsel, Ms.M.B.Priyadharshini (2512/2019). To the repeated queries from the Court, the defacto complainant replied that she does not want to pursue the matter. The defacto complainant is working as an Associate Professor in a college. She is a well educated person and she is obviously aware of the stand that she is presently taking before this Court. When the defacto complainant has decided to not to proceed with the matter, no purpose will be served in keeping the impugned prosecution alive. The parties have filed a joint compromise memo before this Court.



3. Therefore, the impugned proceedings are quashed. This criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

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/ /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 Additional Mahila Court(JM Level),
Madurai.
2. The Inspector of Police,
All Women police station,
Thallakulam, Madurai City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M. SOLAISAMY, Advocate (SR-34722[F] dated 17/11/2021)

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PS(CO)
KB(26.11.2021) 2P 5C