



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2021

CORAM :

WEB COPY

THE HONOURABLE **Mr. JUSTICE G. ILANGO VAN**

CrI.O.P. (MD) No. 13392 of 2021

1. Pandiyaraja
2. Jothiammal
3. Pandi
4. Kavitha
5. Kamaraj
6. Vadivelan
7. Aishwarya

...Petitioners

/Vs./

1. State Rep. by the Inspector of Police,
All Women Police Station,
Theni, Theni District.
(In Crime No.31 of 2019)

2. Sowmiya

...Respondents

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, 1973, to call for the records of Charge Sheet in C.C.No.232 of 2020 before the Learned Judicial Magistrate, Theni and quash the same as illegal.

For Petitioners : Mr.M.Maharaja
For Respondent No.1 : Mr.K.Sanjai Gandhi
Government Advocate (Criminal Side)

ORDER

The petitioners have filed this petition seeking quashment of C.C.No.232 of 2020 on the file of the learned Judicial Magistrate, Theni.

2. Originally, FIR in Crime No.31 of 2019 was registered against the petitioners for the offences punishable under Sections 498(A), 406, 294(b), 324 and 506(2) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section 4 of the Dowry Prohibition Act, 1961 and the accused persons have filed CrI.O.P.(MD)No.13941 of 2020, which was allowed by this Court on 18.12.2020 quashing the FIR, on the basis of the compromise arrived between the accused persons and the defacto complainant. Subsequently, it appears that by mistake, further investigation has



been taken and final report has been filed before the learned Judicial Magistrate, Theni as Action dropped.

3.The learned Additional Public Prosecutor would submit that by mistake, the case has been taken cognizance in C.C.No.232 of 2020, since FIR has already been quashed. A report to that effect has also been filed before the concerned Court.

4.Taking into account all the aforestated facts, the entire proceedings in C.C.No.232 of 2020 on the file of the learned Judicial Magistrate, Theni is quashed as illegal. Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Inspector of Police,
All Women Police Station,
Theni,
Theni District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.13392 of 2021
13.09.2021

MGJ(27.09.2021) 2P 3C