



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**Date : 03.12.2021**

**CORAM:**

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

**CRL OP(MD) . No.17475 of 2019**

**and**

**Cr1.M.P (MD) No.10331 of 2019**

**WEB COPY**

1.A.Malaiyadiyan  
2.Mahadevi

... Petitioners  
/Accused 1&2

**Vs**

1.The State rep by  
The Inspector of Police,  
Aviyur Police Station,  
Virudhunagar District.  
(Crime No.31/2019)

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

2.Murugan

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

**PRAYER:** This Criminal Original Petition is filed under Section 482 Cr.P.C., praying to call for the records in pursuant to the FIR in Crime No.31 of 2019 dated 02.02.2019 pending on the file of the 1<sup>st</sup> respondent police and quash the same.

For Petitioner : Mr.G.Thalaimutharasu  
For R1 : Mr.R.Sivakumar  
Government Advocate (Cr1.side)

**ORDER**

This Criminal Original Petition is filed to quash the FIR in Crime No.31 of 2019 dated 02.02.2019 pending on the file of the 1<sup>st</sup> respondent police.

2.Heard Mr.G.Thalaimutharasu, learned counsel appearing for the petitioner and Mr.R.Sivakumar, learned Government Advocate (crl.side) appearing for the first respondent.

3.When the matter is taken up for hearing today, the learned counsel appearing for the petitioner would submit that based on the complaint, a case has been registered against six persons, amongst which, the petitioners are arrayed as A1 and A2, for the offence under Sections 294(b), 323, 324 and 506(ii) IPC. It is further submitted that the Investigating Officer sent a letter to the District Educational Officer stating that during the course of



investigation, it was found that the complaint given by the second respondent is an exaggerated one and the said complaint is going to be closed as 'mistake of fact'.

4.Since the complaint given by the second respondent was closed as 'mistake of fact', this petition has become infrutuous. The first respondent has filed a closure report before the Court concerned. The second respondent is at liberty to work out his remedy before the appropriate forum in the manner known to law.

5.With the above observation, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:

1.The Inspector of Police,  
Aviyur Police Station,  
Virudhunagar District.

2.Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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and**

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Date : 03.12.2021

RK(04/01/2022) 2P/3C