



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 27.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No. 26373 of 2017
and Crl.M.P.Nos.15203 & 15204 of 2017

1.Mohamadkasim
2.Latheef Batcha
3.Musthari begam
4.Afroze
5.Dulari
6.Arieefa begam

. . . Petitioners

Versus

1.State represented by
The Inspector of Police,
M-3, Puzhal Police Station,
Puzhal, Chennai-66.

2.Reshma

. . . Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in C.C.No.203 of 2017, on the file of the learned Judicial Magistrate, Thiruvottiyur and quash the same.

For Petitioners : Mr.R.Arunkumar

For Respondents : Mr.S.Vinoth Kumar for R1
Govt.Advocate (Crl.Side)

: M/s.Shaikh Mehrunisa for R2

: Mrs.Reshma(R2-appeared in person)

ORDER

(This case has been heard through video conference)

This Criminal Original Petition has been filed to call for the records and quash the proceedings in C.C.No.203 of 2017 on the file of the learned Judicial Magistrate, Thiruvottiyur filed against the accused for the offence under Sections 323, 324, 506 (ii), 147, 354 IPC.

2. Based on the complaint lodged by the de facto complainant, who is the wife of A1/ first petitioner herein, the final report has been filed. The crux of the allegation is that after marriage, A1 started suspecting the character of the de facto complainant and caused harassment. A2 to A6 also caused



harassment along with A1. Thereby, they have committed the aforesaid offence.

3. The learned counsel appearing for the petitioners submitted that the matter has been settled between the parties.

4. Ms. Shaikh Mehrunisa, learned counsel appearing for the respondent/de facto complainant along with the de facto complainant appeared through video conferencing and submitted that the entire criminal prosecution is a result of matrimonial dispute and the matter has been settled amicably between the parties. Therefore, she has no objection for quashing the Criminal complaint against the petitioners.

5. The de facto complaint appeared in person through Video Conferencing and submitted that she is not interested to continue the prosecution against the petitioners. The said submission is recorded.

6. This Court has perused the entire materials available on record. As the matrimonial dispute has been settled between the parties, still forcing the parties to face the ordeal of trial is nothing but abuse process of law. Hence, the proceedings in C.C.No.203 of 2017, on the file of the learned Judicial Magistrate, Thiruvottiyur is quashed.

7. Accordingly, this Criminal Original Petition is allowed. Consequently, connected Criminal Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

psa/msv

To

1. The Judicial Magistrate,
Thiruvottiyur .

2. The Inspector of Police,
M-3, Puzhal Police Station,
Puzhal, Chennai-66.

3. The Public Prosecutor,
High Court, Madras.

+2cc to Mr.R.Arun Kumar, Advocate, S.R.No.4623

CrI. O.P. No. 26373 of 2017 and
CrI.M.P.Nos.15203 & 15204 of 2017

GMR (CO)
SB(11/02/2022)