



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2022

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P. (MD) No.969 of 2022

WEB COPY

1. Parthiban
2. Palaniyammal
3. Sakthivel

... Petitioners / Accused Nos.1 to 3

Vs.

State rep. By

1. The Inspector of Police,
All Women police station,
Musiri,
Trichy District.
(Crime No.11 of 2021)

... Respondent / Complainant

2. xxxx

... 2nd Respondent /
Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for records relating to the First Information Report in Crime No.11 of 2021 dated 15.06.2021 on the file of the first respondent and quash the same against the petitioners are concerned.

For Petitioners	: Mr.M.Subash Babu
For R-1	: Mr.M.Sakthi Kumar, Government Advocate (Crl. Side).
For R-2	: Mr.M.Chandrabose

O R D E R

Heard the learned counsel on either side.

2. The petitioners are shown as accused in Crime No.11 of 2021 registered on the file of the first respondent.

3. The defacto complainant is present before this Court through video conferencing. She has been duly identified by Ms.A.Kanagambaram, WHC-857, attached to the first respondent police station and the same has been duly confirmed by Mr.A.Sakthi Kumar, learned Government Advocate.

4. The defacto complainant has made two allegations in the impugned First Information Report. One is that the first petitioner had cheated her. The second allegation is that the first petitioner had married a minor girl. In this regard, when the petitioners moved this Court for anticipatory bail, pursuant to the direction given by



a learned Judge of this Court, the statement of the minor girl was taken. The minor girl deposed before the concerned Magistrate that the allegations made by the defacto complainant are false. This has been recorded in the order dated 11.08.2021 in Crl.O.P.(MD)No.9536 and 8081 of 2021. Therefore, one part of the allegations made in the First Information Report turned to be groundless. The defacto complainant has now made " U " turn. The defacto complainant says that she has no objection for quashing the impugned First Information Report.

5. 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 First Information Report is quashed. This criminal original petition is allowed. The joint compromise memo dated 17.12.2021 shall form part of the record.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PMU

Encl:Photocopy of Compromise Memo attached

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,
Musiri,
Trichy District.

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

+1 CC to M/s.M.SUBASH BABU, Advocate (SR-2246[F] dated 24/01/2022)
Crl.O.P.(MD)No.969 of 2022
24.01.2022

MGJ(25.02.2022) 2P 4C