



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.2502 of 2022

and

Crl.M.P(MD)Nos.1867 and 1868 of 2022

1.Aandichi @ Ananthi

2.Nithya

3.Chinnaiah

... Petitioners/Accused Nos.2 to 4

Vs.

State Rep. by

1.The Sub Inspector of Police,
Ponnamaravathy Police Station,
Ponnamaravathy,
Pudukkottai District.
(Crime No.170 of 2016)

... 1st Respondent/Complainant

2.Azhagi

...2nd Respondent/*Defacto* Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the impugned C.C.No.43 of 2017 on the file of the District Munsif Cum Judicial Magistrate, Thirumayam, Pudukkottai District and quash the same as illegal against these petitioner's concerned.

For Petitioners	:	Mr.Na.Palaniyandi
For R1	:	Mr.B.Thanga Aravindh Government Advocate (Crl.side)
For R2	:	Mr.A.Arun Prasad

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.43 of 2017 on the file of the learned District Munsif Cum Judicial Magistrate, Thirumayam, Pudukkottai District.

2.The case of the prosecution is that on 20.06.2016 at about 7.30 p.m., when the second respondent was standing in front of her house, the accused persons came her house and scolded her in filthy language and also attacked her with stick, thereby, they also threatened her with dire consequence. On the said complaint lodged by the second respondent, the first respondent registered the FIR in Cr.No.170 of 2016 for the offence under Section 294(b), 323, 325 and 506(i) of IPC. After completion of investigation, final report has



been filed and the same was taken cognizance in C.C.No.43 of 2017, in which, the petitioners are arrayed as A2 to A4 herein.

3.It is seen from the records that the younger daughter of the first petitioner eloped with the grandson of the second respondent herein. Therefore, the first petitioner has lodged a complaint and the same has been registered in Cr.No.132 of 2015 on the file of the first respondent for the offence Girl Missing. In fact, the first petitioner has also filed a Habeas Corpus petition before this Court in H.C.P(MD)No.618 of 2015. On 04.05.2015, the detenu was produced before this Court and handed over to the first petitioner herein. Again she eloped with grandson of the second respondent and got married and they are living happily. On 20.06.2016 at 7.30 p.m., the accused persons went to the second respondent herein and questioned about the elopement of their minor daughter. Due to which, the accused persons abused the second respondent by using filthy language and attacked her with stick and also threatened her with dire consequence.

4.The learned counsel for the second respondent submitted that now the second respondent's grandson and the first respondent's daughter are living happily and the trial is also pending from the year 2017 without any progress.

5.It is made clear that since the second respondent's grandson and daughter of the first petitioner are leading their matrimonial life happily, the pendency of the trial would not serve any purpose.

6.In view of the above, the Criminal Original Petition is allowed and the proceedings in C.C.No.43 of 2017 on the file of the learned District Munsif Cum Judicial Magistrate, Thirumayam, Pudukkottai District is hereby quashed in toto. The benefit of this order will enure in favour of the first accused also. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd



To

1.The District Munsif Cum Judicial Magistrate,
Thirumayam,
Pudukkottai District.

2.The Sub Inspector of Police,
Ponnamaravathy Police Station,
Ponnamaravathy,
Pudukkottai District.

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

+1 CC to M/s.NA.PALANIYANDI, Advocate (SR-19573[F] dated 20/04/2022)

CrI.O.P(MD)No.2502 of 2022

and

CrI.M.P(MD)Nos.1867 and 1868 of 2022

19.04.2022

MK/25.05.2022/3P/5C