



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2022

CORAM :

WEB COPY

THE HONOURABLE MR. JUSTICE G.ILANGOVAN

**Crl.OP(MD)No.6620 of 2019 &
Crl.OP(MD)Nos.4421 & 4422 of 2019**

1.Kumaravel
2.Karthikeyan
3.Samundisweran
4.Ramesh

... Petitioners

Vs.

1. The State Represented by
The Inspector of Police,
Kallimanthaiyam Police Station,
Dindigul District.

2. Veerathaal

...Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the entire records corrected with the proceeding in CC.No.536/2016 on the file of the Judicial Magistrate Court, Ottanchanthram.

For Petitioners : Mr.R.Alagumani

For R1 : Mr.P.Kottai Chamy,
Government Advocate(Crl.Side)

ORDER

The petitioners have filed this petition seeking quashment of CC.No.536/2016 on the file of the Judicial Magistrate Court, Ottanchanthram.

2. The matrimonial dispute is between the first petitioner, aged 61 years and the defacto complainant / second respondent. Reading of the First Information Report shows that some sort of trouble arose between the parties with regard to the property issue. Over the property issue, it appears that, on 05.05.2016 when the defacto complainant / second respondent was in her house, the first petitioner along with others trespassed into the house and criminally intimidated her and abused her.



3. According to the learned counsel for the petitioners, since the occurrence is said to have taken place inside the house of the defacto complainant, the offence under Section 294(b) of IPC is not attracted to this case. Similarly the averments in the FIR do not attract the ingredients of the offence under Section 506(i) of IPC.

4. The learned Government Advocate would submit that subsequent to the registering of the case, the first petitioner and the defacto complainant/second respondent are living together.

5. Since the husband and wife are now living together, no purpose is going to be served by directing the parties to undergo trial process. Therefore, recording the submission of the learned Government Advocate, this Criminal Original Petition is allowed. Consequently, the connected miscellaneous petitions are closed. The proceedings in CC.No.536/2016 on the file of the Judicial Magistrate Court, Ottanchathram in respect of the petitioners is hereby quashed.

Sd/-
Assistant Registrar(ADI)

// True Copy //

/ /2022
Sub Assistant Registrar

mbi

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 Judicial Magistrate,
Ottanchathram.
2. The Inspector of Police,
Kallimanthaiyam Police Station,
Dindigul District.



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

+1 CC to M/s.R.ALAGUMANI, Advocate (SR-7551[F] dated 21/02/2022)

Cr1.OP(MD)No.6620 of 2019 &
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4422 of 2019
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SP/02/03/2022/3P/5C