



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.18225 of 2021

and

Crl.M.P.(MD)Nos.10006 and 10007 of 2021

1.Nagaraj

2.Janaki

... Petitioners/Accused Nos.2&3

Vs.

1. State represented by
The Inspector of Police,
Peraiyur Police Station,
Madurai District.
(Crime No.134 of 2019)

2. V.Vishali

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records and quash the case in S.C.No.377 of 2020 in the Court of Sessions Judge, Mahaleer Neethimandram, Madurai.

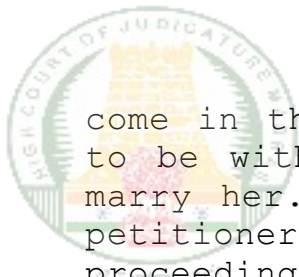
For Petitioners : Mr.R.John Sathyan
For Respondents : Mr.E.Antony Sahaya Prabahar,
Addl. Public Prosecutor for R1.

O R D E R

Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the first respondent. Though the defacto complainant has been served and her name is also printed in the cause list, no one has entered appearance for her.

2.The petitioners are facing trial in S.C.No.377 of 2020 on the file of Sessions Court, Mahaleer Neethimandram, Madurai. It is seen that the primary allegations have been made only against the first accused. The defacto complainant has had physical relationship only with the first accused and she would state that the first accused held out assurance of marriage and had physical relationship with her. As a result, the defacto complainant is said to have become pregnant. Since the first accused went back on his assurances, the defacto complainant decided to prosecute him.

<https://hcservices.ecourts.gov.in/hcservices>



come in the picture. The implication of the petitioners appears to be with an object to bring pressure on the first accused to marry her. The very institution of the proceedings against the petitioners, who are parents, is malafide. The impugned proceedings are quashed as far as the petitioners are concerned. This criminal original petition is allowed. The benefit of this order will not enure in favour of the first accused. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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 Sessions Judge,
Mahaleer Neethimandram,
Madurai.
2. The Inspector of Police,
Peraiyur Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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USK/23.02.2022/2P/4C