



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 17/03/2022

CORAM

The Hon'ble Mr. Justice G.ILANGOVAN

CRL OP(MD). No.18244 of 2019

and

CrI.M.P(MD)No.10740 of 2019

- 1.Raman
- 2.B.Senthil
- 3.Sankar
- 4.R.Vigneshwaran

... Petitioners/Accused 3,7,8 & 10

Vs

1. The State rep. by
The Inspector of Police,
All Women Police Station,
Thiruppathur,
Sivagangai District,
(Crime No.03/2016).

... Respondent/Complainant

- 2.B.Haritha

... Respondent/Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to C.C.No.167 of 2016 on the file of the District Munsif-cum-Judicial Magistrate Court, Thiruppathur and quash the same as illegal as far as these petitioners are concerned.

For Petitioners	: Mr.C.Senthil Murugan
For R1	: Mr.SS.Madhavan Government Advocate
For R2	: No appearance

ORDER

This petition has been filed for quashment of charge-sheet in C.C.No.167/2016, pending on the file of the learned District Munsif-cum-Judicial Magistrate Court, Thiruppathur.

2. The case of the prosecution is that on 02.02.2014, the second respondent married one Vimalathithan, who is arrayed as first accused. At the time of marriage, 15 sovereign gold and household articles worth about Rs.1 lakh was offered as dowry. Thereafter, these petitioners and other accused said to have assaulted the second respondent and hence, she lodged a complaint with the second respondent on 12.11.2015. Consequently, on 18.11.2015 these



petitioners and others have gone to the house of the second respondent and abused her with filthy language and further threatened her with dire consequences. Hence, she lodged a complaint on 05.02.2019.

3. Learned counsel appearing for the petitioner would submit that they are innocents and they have been falsely implicated in this case for the only reason that they are the in-laws of the second respondent.

4. Today, when the matter was taken up for hearing, the *defacto* complainant and the petitioners are present and their identifications were also verified by this Court.

5. The dispute between the petitioners and the second respondent is settled and the second respondent filed an affidavit, dated 11.03.2022 to that effect. The second respondent would state that because of the compromise, she and her husband living together. The learned counsel for the second respondent produced the order of the learned Judicial Magistrate-cum-Additional Mahila Court, Sivagangai in DVC No.49 of 2019, dated 21.10.2021. It is seen from the order in the DVC proceedings that the second respondent appeared before the Court and stated therein that she is living with her husband. She is not intended to proceed this case. This petition is not pressed.

6. In view of the above, this Court is of the opinion that no useful purpose would be served in keeping the matter pending since the petitioners are in-laws of the second respondent and the second respondent is not willing to proceed further. Therefore, this Criminal Original Petition is allowed and the entire proceedings in C.C.No.167 of 2016, on the file of the District Munsif-cum-Judicial Magistrate Court, Thiruppathur in respect of the petitioners is hereby quashed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

am

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.

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



To

1. The District Munsif-cum-Judicial Magistrate Court,
Thiruppathur.

2. The Inspector of Police,
All Women Police Station,
Thiruppathur,
Sivagangai District.

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

ORDER IN
CRL OP(MD) No.18244 of 2019
Date : 17.03.2022

am

USK/19.04.2022/3P/4C