



CrI.O.P(MD).No.1880 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 07.03.2023

CORAM:

THE HONOURABLE MRS. JUSTICE R.THARANI

CrI.O.P(MD).No.1880 of 2020

and

CrI.M.P.(MD)Nos.922 and 923 of 2020

P.Venkatesan

...Petitioner

Vs

R.Anitha

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying this Court to quash the proceedings in M.C.No. 15 of 2019 on the file of the learned Judicial Magistrate No.I, Kovilpatti and quash the same in so far as the petitioner is concerned.

For Petitioner

: Mr.M.Prabu

For Respondent

: No Appearance

ORDER

This petition is filed to quash the impugned FIR registered in Crime No. 118 of 2020 dated 05.04.2020 on the file of the 1st respondent.



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2. On the side of the petitioner, it is stated that the respondent is the wife of the petitioner. She has filed the petition under 125 of Cr.P.C., in M.C.No.15 of 2019 claiming maintenance of Rs.15,000/- (Rupees Fifteen Thousand only) per month. The petitioner and the respondent married on 27.05.2018. Only to harass the petitioner, the respondent has filed vexatious petitions. The respondent did not file any document to show that the petitioner was having house properties. Even in the petition, she has mentioned that she is having sufficient means to maintain herself. The respondent is a Grade II Constable. Since the respondent is a Government employee, she can maintain herself and the case in M.C.No.15 of 2019 is to be quashed.

3. On the side of the petitioner, it is stated that both the petitioner and the respondent entered into an agreement for divorce on 26.05.2019 and both of them have signed the document in the presence of witnesses.

4. Though the name of the respondent was printed in the cause list, none appears for the respondent.

5. The respondent in the maintenance petition has admitted that she is working as the women Police Constable. Hence, she is able to maintain



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herself. This Criminal Original Petition is **allowed** and the FIR is hereby

quashed. Consequently, connected miscellaneous petition is closed.

07.03.2023

NCC : Yes/No

Internet : Yes/No

Index : Yes/No

Mrn

To

1.The Judicial Magistrate No.I, Kovilpatti.

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



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R. THARANI,J.

Mrn

CrI.O.P(MD).No.1800 of 2020

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