



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Criminal Original Jurisdiction

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Wednesday, the Twenty Fifth day of September
Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL MP(MD). No.4658 of 2022
in
Crl.O.P.(md).No.10768 of 2021

Anto Iruthaya Jinoslin

Petitioner/2nd Respondent

Vs

1.The state rep.by
The Inspector of Police
All Women Police Station,
Tiruchendur
Thoothukudi District.
(Crime No.11 of 2021).

1st Respondent/1st Respondent

2.Jackson

2nd Respondent/Petitioner

Prayer in CRL MP(MD). No.4658 of 2022:-

Petition filed under section 482 of Cr.P.C., to recall the order in

Crl.O.P.No.10768 of 2021 dated 08/11/2021 passed by this Hon`ble court and to take

<https://www.mhc.tn.gov.in/judis>

the appropriate action against the 2nd Respondent/Accused.



Prayer in Crl.O.P.(md).No.10768 of 2021:

Petition filed under section 482 of Cr.P.C., to call for the records pertaining to the FIR in Crime No.11 of 2021 dated 25/06/2021 under sections 417 and 376 IPC on the file of the First Respondent police registered against the petitioner and quash the same.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.V.Rajiv Rufus, Advocate for the Petitioner and of Mr.M.Vaikam Karunanithi, Government Advocate for the first Respondent and Mr.S.R.Anbarasu, Advocate for the 2nd Respondent, this Court made the following order:

Thiru.Jackson filed Crl OP(MD)No.10768 of 2021 to quash the FIR in Cr.No.11 of 2021 registered on the file of the AWPS, Thiruchendur for the offences under Sections 417 and 376 of IPC. The defacto complainant was shown as the second defendant in the criminal original petition. Before me, the petitioner/defacto complainant submitted that he married the her on 02.06.2021 and that it has already been duly registered on the file of the SRO, Kayalpattinam and that he would live with her and keep the vows of marriage. Recording the said submission, even though I was conscious that a criminal case involving rape cannot be compromised, in the interest of justice, I quashed the FIR and allowed the criminal original petition. This criminal miscellaneous petition has been filed by the defacto



complainant for recalling the said order.

2.The defacto complainant is present in person before me. She states that Thiru.Jackson has left her within one week after the criminal original petition was allowed.

3.In these circumstances, it is just and proper that the criminal original petition is disposed of on merits. The order dated 08.11.2021 in CrI OP(MD)No.10768 of 2021 is recalled. It is for the parties to contest the matter on merits. Registry to list this criminal original petition before the Hon'ble Judge holding the roster.

Sd/-

Assistant Registrar ()

// True Copy //

/10/2024

Sub Assistant Registrar
(CS-1/II/III/IV)

TO

1. The Inspector of Police
All Women Police Station Tiruchendur
Thoothukudi District.
2. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai

Copy to:

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai



+1CC to Mr.V.Rajiv Rufus, Advocate in S.R.No.54253

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ORDER DATED : 25/09/2024

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ORDER
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CRL MP(MD). No.4658 of 2022

in

Crl.O.P.(md).No.10768 of 2021

BV(09/10/2024) 4P/ 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.