



CRL MP(MD). No.6997 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction**

Wednesday, the Fourteenth day of August Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

**CRL MP(MD). No.6997 of 2024
in
CRL OP(MD).No.23380 of 2023**

M.Lakshmipraba @ Madhubala

... Petitioner

Vs.

1. B.Eswaran

**2. The Commissioner of Police,
Madurai District,
Madurai.**

**3. The Inspector of Police,
All Women Police Station,
Thiruparankundram,
Madurai District.**

... Respondents

Prayer in CRL MP(MD). No.6997 of 2024 :-



CRL MP(MD). No.6997 of 2024

WEB COPY

This Petition filed under Section 482 of Criminal Procedure Code to recall the order dated 22.12.2023 passed in CrI.OP(MD)No.23380/2023 by this Honble Court and to restore the same to file.

Prayer in CRL OP(MD).No.23380 of 2023 :-

This Petition filed under Section 482 of Criminal Procedure Code to direct the second respondent not to harass the petitioner in the guise of enquiry on the basis of the false complaint.

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 M/s. J.Barathan, Advocate for the Petitioner, M/s. M.Sakthikumar, Government Advocate(Criminal Side) for the respondent Nos. 2 and 3 and M/s. Vivek kumar, Advocate for respondent No.1, this Court made the following order:

This petition has been filed to recall the order dated 22.12.2023 passed in CrI.O.P.(MD).No.23380 of 2023 on the ground that the matter has been settled between the parties out of the Court and the parties are now living together. But, wrong observation has been made by this Court in paragraph No.2 of the order, dated 22.12.2023, which reads as follows:

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



CRL MP(MD). No.6997 of 2024

WEB COPY

"2.It appears that the issue is between the husband and wife. The learned counsel for the petitioner would submit that suppressing the earlier marriage, the third respondent married this petitioner. After coming to know about the marriage, the husband of the third respondent left the matrimonial home. After the marriage with this petitioner she got another child also. During the first marriage, there was no child."

2.According to the counsel on either side, now, the issue was verified and it was found that there was no marriage between the complainant and the some other person on the earlier occasion. Only engagement was performed between them.

3.In view of the above said settlement, the earlier order passed by this Court on 22.12.2023 in CrI.O.P.(MD).No.23380 of 2023, is hereby **Recalled**. CrI.O.P.(MD). No.23380 of 2023 is restored to the file.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/09/2024

Sub Assistant Registrar
(CS- I, II, III, IV)

TM



CRL MP(MD). No.6997 of 2024

WEB COPY

TO

1. The Commissioner of Police,
Madurai District,
Madurai.
2. The Inspector of Police,
All Women Police Station,
Thiruparankundram,
Madurai District.
3. 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.



WEB COPY



CRL MP(MD). No.6997 of 2024

ORDER DATED : 14/08/2024

=====

ORDER

=====

CRL MP(MD). No.6997 of 2024
in
CRL OP(MD).No.23380 of 2023

Giving direction and etc.
as stated within.

RD(19.09.2024) 5P / 5C

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