



Crl.O.P.(MD)No.7386 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.(MD)No.7386 of 2023

1.Dharmaraj

2.Jeganathan

3.Saroja

4.R.Latha

5.Ramesh

... Petitioners/A1 to A5

vs.

1.State Represented by
The Inspector of Police,
AWPS, Thiruparankundram,
Madurai District
(Crime No.15 of 2018)

... 1st Respondent/Complainant

2.Ponnarasi

... 2nd Respondent/Defacto -
Complainant

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the entire records of the impugned charge sheet in C.C.No.419 of 2021 on the file of the Additional Mahila Court, Madurai in Crime No.15 of 2018 on the file of the 1st respondent police and quash the same.



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For Petitioners : Mr.U.Antony Santhosh
For R1 : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl. Side)
For R2 : Mr.S.Jagadeesh

ORDER

The Criminal Original Petition has been filed to quash the impugned charge sheet in C.C.No.419 of 2021 on the file of the Additional Mahila Court, Madurai in Crime No.15 of 2018 on the file of the 1st respondent police.

2. It is seen that this case arises out of matrimonial discord. The parties seem that they have decided to part ways as friends, and they have got divorce by mutual consent.

3. In view thereof, following the principles laid down by the Hon'ble Supreme Court of India in ***B.S.Joshi & Ors. vs. State of Haryana & Anr. [(2003) 4 SCC 675]*** and the subsequent judgments, this is a fit case for exercise of inherent power of this Court under Section 482 of the Code of Criminal Procedure to quash the proceeding.



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4. Accordingly, the Criminal Original Petition stands allowed.

The proceeding, in C.C.No.419 of 2021 on the file of the Additional Mahila Court, Madurai arising out of Crime No.15 of 2018 on the file of the 1st respondent, shall stand quashed.

30.08.2024

NCC : Yes / No
mkn

To

- 1.The learned Judge,
Additional Mahila Court, Madurai
- 2.The Inspector of Police,
AWPS, Thiruparankundram,
Madurai District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai



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D.BHARATHA CHAKRAVARTHY, J.

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