



Crl.O.P.No.12104 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.12104 of 2025
and Crl.M.P.Nos.8021 & 8025 of 2025

S.P.Giri @ Muthukaruppan

... Petitioners

Vs.

1. The State rep. by
The Inspector of Police,
All Women Police Station,
Mayiladurai District.
(Crime No.14 of 2014)

2. G.Vidhyalakshmi

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to C.C.No.261 of 2014 on the file Judicial Magistrate Court No.I, Mayiladuthurai and to quash the same.

For Petitioner : Mr.C.Prabakaran

For Respondents

For R1 : Mr.A.Gopinath

Government Advocate (Crl. Side)



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ORDER

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This Criminal Original Petition has been filed to quash the proceedings in C.C.No.261 of 2014 on the file of the learned Judicial Magistrate Court No.I, Mayiladuthurai, thereby taken cognizance for the offences punishable under Sections 498(A) & 494 of IPC.

2. On the complaint lodged by the second respondent, the first respondent registered a FIR in Crime No.14 of 2014 for the offences punishable under Sections 498(A) & 494 of IPC, alleging that the second respondent got married to the petitioner on 24.02.2012. Thereafter, the entire family members of the petitioner harassed the second respondent by demanding dowry. That apart, the petitioner got married to another lady when the marriage with the second respondent is very much in existences. After completion of investigation, the first respondent filed final report and the same has been taken cognizance in C.C.No.261 of 2014 on the file of the learned Judicial Magistrate No.I, Mayiladuthurai.

3. The learned counsel appearing for the petitioner submitted that there are totally four accused in which, the petitioner is arrayed as first accused. After filing the final report, the petitioner filed petition



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seeking divorce in H.M.O.P.No.97 of 2017 on the file of the learned

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Principal Sub Judge, Mayiladuthurai. While pending the divorce petition,

there was an amicable settlement between the petitioner and the second respondent by the compromise memo dated 03.02.2020. Accordingly, the second respondent agreed to withdraw the proceedings as against the petitioner in C.C.No.261 of 2014 on the file of the learned Judicial Magistrate No.I, Mayiladuthurai and she also received all the household articles and jewels as well as permanent alimony from the petitioner. In fact, she also deposed before the Family Court itself and the divorce was also granted by the judgment and decree dated 26.02.2020. Thereafter, there was no contact between the petitioner and the second respondent. Hence he prayed to quash the present criminal proceeding.

4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5. It is seen that the petitioner and second respondent are husband and wife and due to misunderstanding they got separated. The petitioner filed divorce petition in H.M.O.P.No.97 of 2017 on the file of the learned Principal Sub Judge, Mayiladuthurai, in which there was a



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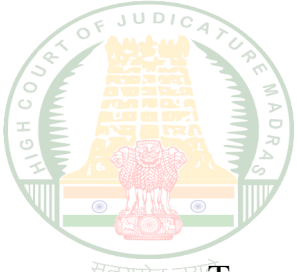
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settlement between the parties and the divorce was also granted by the judgment dated 26.02.2020. Further insofar as the other accused are concerned, even before the amicable settlement, they approached this Court in Crl.O.P.No.4337 of 2016 and this Court by an order dated 15.12.2021 quashed the entire proceedings in C.C.No.261 of 2014 as against the A2 to A4. Now the trial is pending as against the petitioner alone for the past ten years without any progress. Therefore, merely keeping the proceedings pending would not serve any purpose.

6. In view of the above discussions, this Court is inclined to quash the proceedings without even ordering notice to the second respondent, since she is in abroad. Accordingly, the proceedings in C.C.No.261 of 2014 on the file of the learned Judicial Magistrate No.I, Mayiladuthurai, is hereby quashed and the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are also closed.

22.04.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
rts



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To
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1. The Judicial Magistrate No.I,
Mayiladuthurai.

2. The Inspector of Police,
All Women Police Station,
Mayiladurai District.

3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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