



WEB COPY

Crl.M.P.(MD) No.1167:
Crl.OP(MD) No.14



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.10.2025

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THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

Crl. MP (MD) No.11675 of 2025

in

Crl.OP.(MD) No.14418 of 2023

1.Karpagakani
2.Devakaruvammal
3.Lavanya
4.Ponmadathi

.... Petitioners

Vs

1.The Inspector of Police
Sankarankovil Taluk Police Station
Tenkasi District.
Crime No.83 of 2020

2.Susila

.... Respondents

Prayer : Criminal Miscellaneous Petition filed under Section 528 of BNSS to recall the order passed by this Court in Crl.OP(MD) No.14418 of 2023 and Crl.O.P. (MD) No.16282 of 2024 dated 18.12.2024, if otherwise, the petitioners will be put to irreparable loss and hardship.

For Petitioners : Mr.M.Ramu

For Respondents : Mr.L.Baskaran
Government Advocate (Crl. Side)
for R1



ORDER

(Through Video Conferencing)

This petition has been filed to recall the order passed by this Court on 18.12.2024, wherein this Court on considering the facts and circumstances of the case and considering the submissions made on either side, thought it fit to quash the proceedings in S.C.No.145 of 2022 on the file of Sub Court, Sankarankovil and C.C.No.214 of 2022 on the file of Judicial Magistrate, Sankarankovil.

2. Heard Mr.Ramu, learned counsel appearing for the petitioners and Mr.L.Baskaran, learned Government Advocate (Crl. Side) for the first respondent-police.

3. The recall petition has been filed mainly on the ground that the petitioners did not give any consent to their counsel to agree for any settlement in this case. That apart, the petitioners were falsely implicated in the case and in fact, the first petitioner was a law student at that point of time. After this Court quashed both the cases, the second respondent seems to have gone to the petitioner's house and insulted them and celebrated her acquittal from the criminal case.

4. In the considered view of this Court, this Court took into account the



nature of dispute between the parties. It was a case and counter case. Hence, in order to bring about a finality to the proceedings, particularly considering the fact that one of the petitioner is a law student, this Court had quashed both the proceedings. Just because the second respondent came near the house of the petitioner and celebrated her happiness, she being let out of the criminal case, cannot be a ground for re-opening the case. However, the second respondent need not have involved in such a conduct. Even when the final order was passed in the quash petitions, the second respondent was made aware by this Court that the order passed was not on merits, and the said order was passed only to bring about a finality to the criminal proceedings. This Court at the time of passing the final orders, had made it clear that the continuation of the criminal proceedings between the parties will only further aggravate the situation and hence, it would be in the best interest of both sides to close the criminal proceedings and proceed with their path.

5. The first respondent-police shall call the second respondent and instruct her not to go near the petitioners' house and cause any harassment to them. If the second respondent repeats the same in future, this Court may consider recalling the earlier order passed on 18.12.2024.

6. In the light of the above discussion and considering the peculiar facts of this case which involves an Advocate, this Court is not inclined to recall the earlier



order passed on 18.12.2024. The above caveat shall be borne in mind by the second respondent. Since the criminal proceedings has been quashed, the interest of the first petitioner who was a law student, will not be prejudiced and the criminal case will not be put against the first petitioner under any circumstances. This clarity will take care of the interest of the first petitioner.

7. This petition is disposed of in the above terms.

22-10-2025

Index : Yes / No
Neutral Citation : Yes / No
Speaking Order / Non-speaking Order

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To:
The Inspector of Police
Sankarankovil Taluk Police Station
Tenkasi District.



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Crl.OP(MD) No.14418



N. ANAND VENKATESH., J

ds

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