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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2015

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Cr1.O.P. (MD)No.3052 of 2015

1.Syed Abdul Haq
2.Abdul Jabber
3.Yasim Roja
4.Abdul Rahim
5.Jahubar Ali
6.Thadi Ismail
7.Fathima
8.M.Bazeer
9.P.Duraiammal
10.P.Ajmeerkhan
11.Jabubar Ali
12.Syed
13.Peeroli
14.Nabeesan
15.M.Asam Mohamed
16.S.Samsuden
17.A.Mumtaj
18.S.Kuralisha

.. Petitioners/Accused Nos.1 to 8

vs.

1.State rep. by
The Inspector of Police,
All women Police Station,
Uthamapalayam,
Theni District.
(Crime No. 9 of 2014)

..1st Respondent/Complainant

2.Rajena Fathima

..2nd respondent/defcto complainant

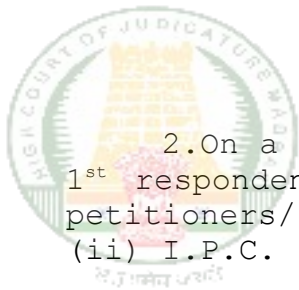
PRAYER: Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.9 of 2014 on the file of the Inspector of Police, All Women Police Station, Uthamapalayam, Theni District and quash the same in the interest of justice.

For petitioners
For R-1
For R-2

: Mr.C.Muthu Saravanan
: Mr.K.V.Rajarajan
Government Advocate (Cr1. Side)
:Mr.M.Jegadeesh Pandian

ORDER

This Criminal Original Petition has been filed praying to quash the
<https://hservices.ecourts.gov.in/hservices/> Report in Crime No.9 of 2014 on the file of the
Inspector of Police, All Women Police Station, Uthamapalayam, Theni
District.



2. On a complaint given by the 2nd respondent/defacto complainant, the 1st respondent has registered a case in Crime No.9 of 2014 against the petitioners/ Accused, for the offences under Sections 498-A, 494 and 506 (ii) I.P.C.

3. The parties are present before this Court and they are identified by the respective learned counsels and both the parties have filed a compromise memo stating that the matter in issue between them has been amicably resolved and therefore, the defacto complainant is not willing to prosecute the case.

4. The Court has also heard the learned counsel appearing on either side and perused the materials available on record.

5. Following the decision of the Honourable Apex Court in **B.S. Joshi and others Vs. State of Haryana and another AIR 2003 SCC 1386** wherein it is held that it is the duty of the Court to encourage genuine settlement of matrimonial disputes, this Court allows this petition. Accordingly, the proceedings in Crime No.9 of 2014 on the file of the first respondent shall stand quashed.

Sd/
Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

To

1. The Inspector of Police,
All women Police Station,
Uthamapalayam,
Theni District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.C.Muthu saravanan, Advocate in SR.No. 8142

TS/10.03.2015/2P-4C

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23.02.2015