



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2020

CORAM

THE HON'BLE MRS.JUSTICE T.KRISHNAVALLI

Crl.O.P.(MD) No.10719 of 2017

and

Crl.MP(MD) Nos.7358 and 7359 of 2017

WEB COPY

1.S.A.Ziauddeen

2.M.S.Abdul Hameed

3.S.Asmath

4.S.A.Zeenath

: Petitioners/A1 to A4

-Vs-

1.The Inspector of Police,
All Women Police Station,
Cantonment,
Trichy.

: Respondent 1/Complainant

2.Y.Arsia Tarnam

: Respondent 2/De-facto
complainant

Prayer: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure to call for the records pertaining to the case in C.C No.85 of 2017 on the file of the Judicial Magistrate No.II, Tiruchirapalli, quash the same and pass such further or other orders.

For Petitioners

: Ms.D.Geetha

For 1st Respondent

: Mr.K.Karmegam

Govt. Advocate (Crl. Side)

For 2nd Respondent

: Mr.K.R.Venkatesan

O R D E R

(Thro' VC)

This criminal original petition has been filed under Section 482 Cr.P.C., praying to call for the records relating to the case in C.C No.85 of 2017 on the file of the Judicial Magistrate No.II, Tiruchirapalli and quash the same.

2.The case of the prosecution is that the marriage between the 1st petitioner/A1 and 2nd respondent/de-facto complainant was solemnized on 23.09.2012 and prior to the marriage, the petitioners 2 and 4 approached the father of the 2nd respondent and demanded Rs.1 Lakhs, 31 sovereigns of gold, 3 gold coins, silver key bunch and bracelet as dowry and the said demands were met with



by the 2nd respondent's family and after the marriage, the petitioners took all the above said articles under their custody and further, the 1st petitioner was having illicit relationship with another woman in Thailand, he smoked cigarettes and the petitioners 3 and 4 kept complaining to the 2nd respondent stating that she was not the right pair for the 1st petitioner and the 2nd petitioner also joined hands with them and used to tout her that she did not bring as much dowry as he had given to his daughter. Hence, this case.

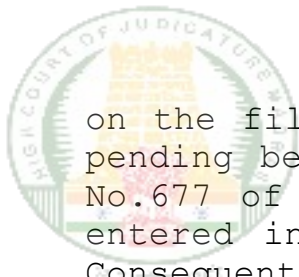
3. When the matter is taken up for hearing on 14.10.2020, the learned counsel appearing for the petitioners submitted that the matter is going to be settled between the parties. Subsequently, on 27.11.2020 a compromise was entered into between the petitioners/A1 to A4 and the 2nd respondent/de-facto complainant. Subsequently, on 03.12.2020 when the matter is taken up for hearing, the learned counsel appearing on either side submitted that the issue involved in this criminal original petition has already been settled between the parties and now, the learned counsel appearing for the 2nd respondent/de-facto complainant has also no objection to quash the entire proceedings in respect of C.C No.85 of 2017 on the file of the Judicial Magistrate No.II, Tiruchirapalli, now pending on the file of the Additional Mahila Judge, Tiruchirapalli in CC No.677 of 2020. The relevant portion of the compromise memo, dated 27.11.2020 filed by the parties would run thus:-

"2) It is submitted that when the above proceedings is pending, the petitioners and the 2nd respondent have agreed to settle the matter and by virtue of the said settlement, the 2nd respondent has received her gold jewels weighting 27 sovereigns (216 Grms of Gold) from the petitioner and also Rs.50,000/- in cash from the petitioners.

3) It is submitted that the 2nd respondent has no objection to prosecute the matter further and has no objection in quashing the above complaint in C.C No.85/2017 on the file of the Learned Judicial Magistrate II, Tiruchirapalli presently pending before the Learned Additional Mahila Judge, Tiruchirapalli in CC No.677 of 2020.

4. Heard the learned Government Advocate (Criminal side) appearing for the 1st respondent. The parties are identified through Video Call by the counsel appearing on either side.

5. Recording the above, this Criminal Original Petition is allowed and the entire proceedings in respect of C.C No.85 of 2017



on the file of the Judicial Magistrate No.II, Tiruchirapalli, now pending before the Additional Mahila Judge, Tiruchirapalli, in CC No.677 of 2020 is quashed. The Compromise Memo, dated 27.11.2020 entered into between the parties, shall form part of the order. Consequently, connected Miscellaneous Petitions are closed.

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Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Encl:Xerox copy of joint compromise memo

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To

- 1.The Judicial Magistrate No.II,
Tiruchirapalli.
- 2.The Additional Mahila Judge,
Tiruchirapalli.
- 3.The Inspector of Police,
All Women Police Station,
Cantonment, Trichy.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High court,
Madurai.

+1 CC to M/s.D.GEETHA, Advocate (SR-24026[F] dated 04/12/2020)

CrI.O.P.(MD) No.10719 of 2017
03.12.2020

KMV(CO)
KM (15.12.2020) 3P 6C