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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2021

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Crl.O.P.No.11078 of 2017

and

Crl.M.P.Nos.7312 & 7313 of 2017

1.Jagadesh

2.Lakshmi

...Petitioners

Vs.

1.State represented by
Inspector of Police,
All Women Police Station,
R.S.Puram West,
Coimbatore.

2.D.Nithya

...Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the charge-sheet in C.C.No.17 of 2017 on the file of the Judicial Magistrate, Additional (Mahila Court), Coimbatore and quash the same.

For Petitioners: Mr.L.Mouli

For R1 : Mr.R.Kishore Kumar
Government Advocate (Crl. Side)

For R2 : Mr.T.Arun Kumar

O R D E R

This Criminal Original Petition has been filed to quash the charge-sheet in C.C.No.17 of 2017 on the file of the Judicial Magistrate, Additional (Mahila Court), Coimbatore, for the offences under Sections 294(b), 323, 498-A and 406 IPC.

2.The crux of the prosecution charges is that the 1st accused/husband has demanded dowry from the de facto complainant/wife and also subjected her to cruelty. On 14.10.2015 and 29.10.2015, the 1st accused assaulted the de facto complainant, which led to miscarriage, besides, he also abused



her.

3.The learned counsel on either side submitted that the entire complaint is a result of matrimonial disputes between the husband and wife and now, the parties are living together and a child is also born and they have now entered into a compromise and the de facto complainant/wife is not interested in proceeding further, as they are now leading a peaceful matrimonial life.

4.Today, Mrs.Nithya, de facto complainant has appeared before this Court through video conferencing and she is identified by her counsel. The 1st accused/husband is also present before this Court. Today, a Joint Memo of Compromise, dated 30.11.2021, has been filed by the parties before this Court.

5.Heard the learned counsel on either side and perused the materials available on record.

6.As the entire allegations and the alleged occurrence are a result of matrimonial disputes between the husband and wife, and also considering the submission that, now the husband and wife are leading a peaceful life, and in fact, the parties themselves settled the dispute and the de facto complainant herself is not willing to prosecute her husband and her sister-in-law/A2 and filed a memo of compromise to that effect, and after personally enquiring the de facto complainant through video conferencing, who submitted that she is not interested to prosecute the matter, in order to preserve their peaceful family life, this Court is inclined to quash the criminal proceedings in entirety.

7.Accordingly, this Criminal Original Petition is allowed and as a sequel, the criminal proceedings in C.C.No.17 of 2017 on the file of the Judicial Magistrate, Additional (Mahila Court), Coimbatore, is quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mkn



1. The Judicial Magistrate,
Additional (Mahila Court),
Coimbatore.

3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.11078 of 2017

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