



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.02.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE **R.THARANI**

Crl.O.P.(MD)No.2115 of 2021

and

Crl.M.P(MD).Nos.1030 and 1031 of 2021

WEB COPY

1.A.Raja Pandiyan
2.Rasathi
3.Ramesh Pandiayn
4.SUganthi @ Pandiyammal
5.Dharmar @ Dharmeyndhran
6.Manikkam ... Petitioners/A1 to A6
Vs.

1.State rep., by
The Inspector of Police,
All Women Police Station,
Madurai South, Madurai. ... Respondent/Complainant
(Crime No.21 of 2015)

2.Idhayavani ... Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of Code of Criminal Procedure to call for the records in PRC.No.31 of 2016 in Crime No.21 of 2015 on the file of the learned Additional Mahila Court, Madurai and quash the same.

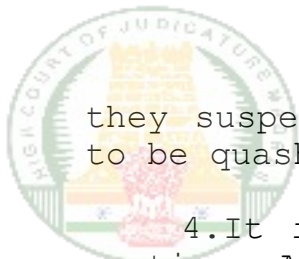
For Petitioners : Mr.S.Sivaprakash
For Respondent No.1 : Mr.S.Chandrasekar
Additional Public Prosecutor

ORDER

The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure to quash the proceedings in PRC.No.31 of 2016 in Crime No.21 of 2015 on the file of the learned Additional Mahila Court, Madurai.

2.On the side of the petitioners it is stated that the allegations against the petitioners are under Sections 498(A), 406, 506(i) and 313 of Indian Penal Code read with Section 4 of Dowry Prohibition Act. There was a compromise between the petitioners and the defacto complainant and an agreement was entered between both the parties on 11.12.2019. The petitioners already paid a sum of Rs.8,90,000/- and they have to pay a balance amount of Rs.1,10,000/-. After mobilizing the fund, the petitioners are rightly to settle the amount and compromise the matter before the Family Court, Hence, he prayed for stay till then.

3.On the side of the respondents it is stated that the petitioners received dowry and they demanded for further dowry and



they suspected the fidelity of the complainant and prayed petition to be quashed.

4.It is seen that there is a compromise agreement between the parties. Admittedly, the petitioners have not completed their part of the compromise. Therefore, the petitioners can appear before the Court and file a compromise petition before the trial Court. There is no necessity to quash the proceedings at the present stage.

5.Considering the age of the petitioners 2 and 6, their personal appearance before the trial Court is dispensed with. However, they should appear before the Magistrate whenever their presence is required.

6.With the above directions, the Criminal Original petition is closed. Consequently, connected Miscellaneous Petitions are also closed.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmk

Note In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Additional Mahila Court, Madurai.

2.The Inspector of Police,
All Women Police Station,
Madurai South, Madurai.

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

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