



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.10.2021

CORAM :

THE HONOURABLE **Mr.JUSTICE G.ILANGOVAN**

Crl.O.P. (MD)No.8013 of 2021

1.Rasheed Khan
2.Yacob Ali Khan
3.Usha Begum
4.Farith Khan
5.Sharmila Banu
6.Barkath Khan

... Petitioners/Accused No.1 to 6

Vs.

1.The State represented by
Inspector of Police,
All Women Police Station,
Musuri, Tiruchirappalli District.
(Crime No.01 of 2016)

... 1st Respondent/Complainant

2.Barkath Nisha

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the charge sheet in C.C.No.29 of 2017 on the file of the learned Judicial Magistrate, Musuri, Tiruchirappalli District, pursuant of the compromise arrived at between the parties.

For Petitioner	: Mr.S.Vinayak
For Respondents	: Mr.R.M.Anbunithi for R1 Additional Public Prosecutor Mr.K.Veilmuthu for R2

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.29 of 2017 on the file of the learned Judicial Magistrate, Musiri, Tiruchirappalli District.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.1 of 2016 for the offences punishable under Sections 147, 498A, 406, 323 & 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, against the petitioners. It appears that it is a matrimonial dispute between the parties and the matter has been compromised at the intervention of the elders of Jamath.

3.The further contention of the petitioners is that they compromised the issue with the 2nd respondent amicably. A joint memo



of compromise was filed, which has been duly signed by the petitioners and the 2nd respondent and also by their respective counsels.

4.The petitioners and the 2nd respondent appeared through video conference from the Office of the Additional Public Prosecutor (Crl.Side) before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor (Crl.Side) and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.

5.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners and also in view of the joint compromise memo, dated 15.02.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in C.C.No.29 of 2017 pending on the file of the learned Judicial Magistrate, Musiri, Tiruchirappalli District is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.29 of 2017, pending on the file of the learned Judicial Magistrate, Musiri, Tiruchirappalli District is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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

(*)Enclosed herewith The Joint Compromise Memo

1.The Judicial Magistrate,
Musuri,
Trichy District.



2.The Inspector of Police,
All Women Police Station,
Musuri, Tiruchirappalli District.

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

+1 CC to M/s.K.VEILMUTHU, Advocate (SR-32107[F] dated 21/10/2021)

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20.10.2021

PS (CO)

RS/UV (08.11.2021) 3P 5C