



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGO VAN

WEB COPY

Crl.OP(MD)No.2797 of 2019

and

Cr.MP(MD)No.1540 & 2713 of 2019

1.Kannan

2.Manickavalli

3.Selvi

4.Chitra

... Petitioners/Accused No.1 to 4

vs.

1.The State Rep by,

The Inspector of Police,

All Women Police Station,

Madurai Town,

Madurai City.

(Crime No.13 of 2018)

... Respondent/ Complainant

2.Dhanalakshmi

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records pertaining to the FIR in Crime No.13 of 2018 on the file of the 1st Respondent Police and quash the same in respect of the petitioners as illegal.

For Petitioners : Mr.C.Mayil Vahana Rahendran

For R1 : Mr.M.Muthumanikkam

Government Advocate(Criminal Side)

For R2 : Mr.S.Karthikeyan

O R D E R

This petition has been filed to quash the Crime No.13 of 2018 on the file of the first respondent.

2.The defacto complainant as well as the first accused would submit that they got mutual divorce and the defacto complainant also got married to some other person and she also received a sum of Rs.8.5 lakhs as maintenance amount from the first accused. It was also agreed that the child, aged about 12, who was born between them, has to be the custody of first accused namely, Kannan.

3.The contention of the petitioners and the second respondent is that based on the complaint lodged by the second respondent, the first respondent registered First Information Report in Crime No.13 of 2018 for the offences punishable under Sections 498(A), 406, 294



(b), 506(i) of IPC and Section 4 of Tamil Nadu Prohibition Harassment of Women Act, against the petitioners.

4.The further contention of the petitioners is that they compromised the issue with the second respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioners and the second respondent and also by their respective counsels.

5.The petitioners and the second respondent appeared in person before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Government Advocate (Criminal side) and Mr.P.Prema Latha, Women Head Constable, All Women Police Station, Madurai Town, Madurai City. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.

6.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 24.03.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in Crime No.13 of 2018, pending on the file of the Inspector of Police, All Women Police Station, Madurai Town, Madurai City, is quashed and the compromise memo is recorded.

7.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.13 of 2018, pending on the file of the Inspector of Police, All Women Police Station, Madurai Town, Madurai City, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dss

Encl:- Photocopy of Compromise memo Attached.

To

1.The Inspector of Police,
All Women Police Station,
Madurai Town,

<https://hcservices.ecourts.gov.in/hcservices/>
Madurai City.



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

+1CC to Mr.C.Mayilvahanarajendran, Advocate (SR.No.35245)

Cr1.OP(MD)No.2797 of 2019

and

Cr.MP(MD)No.1540 & 2713 of 2019

18.11.2021

MGJ(01.12.2021) 3P 4C