



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P. (MD) No.8350 of 2021

WEB COPY

1.Prabin

2.Lukkose

3.Padmini

4.Aswini

5.Sunil @ Christhudhas

6.Sujitha

7.Gladwin

... Petitioners/Accused Nos.1 to 7

Vs.

1.The Inspector of Police,
All Women Police Station,
Marthandam,
Kanniyakumari District.
(Crime No.16 of 2021)

... Respondent/Complainant

2.Jijimol

... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records on the file of the 1st respondent, All Women Police Station, Marthandam, Kanyakumari District. in Crime No.16 of 2021 dated 08.02.2021 and quash the same.

For Petitioners : Mr.S.C.Herold Singh

For R1 : Mr.R.M.Anbunithi

Additional Public Prosecutor (Crl.Side)

For R2 : Mr.K.A.Thirumalaiappan

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.16 of 2021 on the file of the 1st respondent police.

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.16 of 2021 for the offences punishable under Sections 498 (A) and 406 of IPC and Section 4 & 6 of Dowry Prohibition Act, 1961 against the petitioners.

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



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 22.04.2021, 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.16 of 2021 pending on the file of the 1st respondent police is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.16 of 2021, pending on the file of the 1st respondent police 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-III)

// 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.

ENCL: Xerox Copy of Compromise Memo.

To:-

1.The Inspector of Police,
All Women Police Station,
Marthandam, Kanniyakumari District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-32886[F]
dated 27/10/2021)

Crl.O.P. (MD)No.8350 of 2021
26.10.2021

KS (CO)

GC/NS(23.11.2021) 2P 4C

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