



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.11.2021

CORAM :

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.17746 of 2021

1.Raja Mohammed
2.Jamal Mohammed
3.Aamina Beevi

... Petitioners/Accused 1 to 3

Vs.

1.The Inspector of Police,
All Women Police Station,
Manapparai,
Trichy District.

... Respondent/Complainant

2.J.Anees Fathima

... Respondent/Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to C.C.No.9 of 2019 on the file of the learned Judicial Magistrate, Manapparai, Trichy District and quash the same as illegal.

For Petitioners : Mr.K.Srinivasaragavan
For Respondents : Mr.T.Senthil Kumar,
Addl. Public Prosecutor for R1.
Ms.M.Benazir Begam for R2.

O R D E R

This criminal original petition has been filed to quash the proceedings in C.C.No.9 of 2019 on the file of Judicial Magistrate, Manapparai.

2.The defacto complainant/J.Anees Fathima is present in person before this Court. She has been duly identified by her counsel namely, Ms.M.Benazir Begam (Enrollment No.2821 of 2010) and also Ms.M.Pavithra, Women Police Constable 1923 attached to All Women Police Station, Manapparai. The prosecution arises out of matrimonial complaint. The defacto complainant categorically states that she does not want to pursue the matter. I repeatedly questioned her as to the terms on which the issue has been settled. The defacto complainant is very firm in her stand that the proceedings can be terminated. The parties have also filed a



joint memo of compromise dated 30.09.2021. When the defacto complainant herself does not want to pursue the matter, no purpose will be served in keeping the prosecution alive. The impugned proceedings are quashed and the criminal original petition is allowed.

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Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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:

Enclose copy of Joint Compromise Memo.

1.The Judicial Magistrate,
Manapparai,
Trichy District.

2.The Inspector of Police,
Marthandam Police Station,
Kanniyakumari District.

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

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RK(02/12/2021) 2P 4C