



CrI.O.P.(MD) No.12078 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2022

CORAM:

THE HONOURABLE MR. JUSTICE **V.SIVAGNANAM**

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1. Samsutheen @ Samsudeen,
2. Nabisha @ Nabesha Begam,
3. Meera Mideed,
4. Ayishakani,
5. Yasin,

: Petitioners

Vs

1.The state represented by
The Inspector of Police,
Town South Police Station,
Dindigul Town,
Dindigul District.
Crime.No.214 of 2019.

2. Ramjanbegam,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying
this Court to call for the records in connection with the impugned Charge



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Sheet in C.C.No.443 of 2022 pending on the file of the learned Additional Mahila Court (Judicial Magistrate Level) Dindigul. and pleased to quash the same so far as the petitioners are concerned.

For Petitioner : M/s. Sarvagan Prabhu S,
For R1 : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

ORDER

The Criminal Original Petition has been filed to quash the Charge Sheet in C.C.No.443 of 2022, pending on the file of the Additional Mahila Court (Judicial Magistrate Level), Dindigul, for the offences punishable under Sections 147, 294(b), 323 and 506(1) and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2022, in Crime No.214 of 2019.

2.The case of the prosecution is that due to matrimonial dispute, the petitioners harassed and assaulted the defacto complainant. Hence the complaint. After investigation, charge sheet has been filed before the Additional Mahila Court (Judicial Magistrate Level), Dindigul and the same was taken on file in C.C.No.443 of 2022.

3.The case is under trial. By passage of time, the parties have decided



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to bury their hatchet and compromise the dispute amicably among themselves.

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4. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.Venkatakrishnan, SSI of Police, Town South Police Station, Dindigul District as well as by the learned Counsels appearing for the parties. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5.In the instant case, the dispute is of personal in nature and the parties had compromised. Where the parties have compromised the matter, the High Court has to power to quash the complaint for the offence under Sections 147, 294(b), 323 and 506(1) and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2022.

6.The legal position expressed by the Hon'ble Apex Court in the case of **Gian Singh vs. State of Panjab and another** reported in **(2012)10 SCC 303**



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and **Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath**) reported in **(2017)9 SCC 641** were taken into consideration.

7. In the light of the guidelines issued in the above said Judgments of the Hon'ble Apex Court, no useful purpose will be served in keeping the proceedings in C.C.No.443 of 2022, pending on the file of the Additional Mahila Court (Judicial Magistrate Level), Dindigul, even though, the offences involved are not compoundable in nature.

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.443 of 2022, pending on the file of the Additional Mahila Court (Judicial Magistrate Level), Dindigul, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

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Internet: Yes
Index: Yes/No
Speaking/Non speaking order
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V.SIVAGNANAM, J.

lr

To

1.The Inspector of Police,
Town South Police Station,
Dindigul Town,
Dindigul District.

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

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