

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.09.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD) No.15802 of 2022

1.Mohamed Rafiq, (name was wrongly mentioned in FIR as Mohamed Raffic)

2.Raseetha

3.Mansoor (Name was wrongly mentioned in FIR as Mansoor Marakayar)

... Petitioners

Vs.

1.The State rep. by
The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli City,
Tirunelveli District.
(Crime No.20 of 20221)

... 1st Respondent/Complainant

2.Mohamed Meeral Najiba ... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the Charge Sheet in C.C.No.17 of 2022 on the file of learned Judicial Magistrate No.I, Tirunelveli and quash the same as illegal.

For Petitioners : Mr.H.Mohammed Imran for
M/s.Ajmal Associates
For R1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor (Crl.Side)
For R2 : Mr.M.U.Mohamed Aslam

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.17 of 2022 on the file of the learned Judicial Magistrate No.I, Tirunelveli.

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.20 of 2021 for the offences punishable under Sections 294(b), 498(A) & 506(i) IPC, against the petitioners. It appears that it is a matrimonial dispute between the parties and now the defacto complainant decided to join with the first petitioner.

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 before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor 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 16.07.2022, 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.17 of 2022 pending on the file of the learned Judicial Magistrate No.I, Tirunelveli, 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.17 of 2022, pending on the file of the learned Judicial Magistrate No.I, Tirunelveli is hereby quashed in respect

of the petitioners and the terms of joint compromise memo shall form part of this order.

08.09.2022

Index : Yes/No
Internet : Yes/No
TM

To

- 1.The Judicial Magistrate No.I, Tirunelveli.
- 2.The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli City,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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G.ILANGOVAN. J.

TM

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