



Crl.OP(MD).No.15877 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2022

CORAM:

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.15877 of 2022

in

Crl.MP(MD)No.10499 of 2022

1.Azarutheen

2.Mohammed Ibrahim Ummal

3.Azarap Ali

... Petitioners/Accused Nos.1 to 3

VS.

1.State through by

The inspector of Police,
All Women PS – Tiruchendur,
Thoothukudi District.

In Crime No.7/2019

... 1st Respondent/Complainant

2.Kathija Ashiya

... 2nd Respondent/DefactoComplainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the FIR in Cr.No.7/2019 dated 12.06.2019 on the file of the 1st respondent police and quash the same.



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For Petitioners : Mr.K.Suyambulinga Bharathi
For R1 : Mr.B.Nambi Selvan
Additional Public Prosecutor
For R2 : Mr.R.Anandharaj

ORDER

This petition has been filed to quash Crime No.7 of 2019 on the file of the Inspector of Police, All Women PS – Tiruchendur, Thoothukudi District.

2.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.7 of 2019 for the offences punishable under Sections 498A, 406 of IPC and Section 4 of Dowry Prohibition Act, 1961, against the petitioners.

3.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



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petitioners and the second respondent and also by their respective counsels.

4.The petitioners and the second 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 Mrs.A.Kalpana, Head Constable (453), All Women Police Station, Tiruchendur, Thoothukudi District. 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 12.09.2022, 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.7 of 2019 pending on the file of the Inspector of Police, All Women Police Station, Tiruchendur, Thoothukudi District, is quashed and the compromise memo is recorded.



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6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.7 of 2019 pending on the file of the Inspector of Police, All Women Police Station, Tiruchendur, Thoothukudi District, 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 petition is closed.

12.09.2022

Index : Yes/No
Internet: Yes
Speaking/Non-Speaking order
dss

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.



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To

- 1.The inspector of Police,
All Women PS – Tiruchendur,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J.

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