



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2022

CORAM:

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.12148 of 2018

and

Crl.MP(MD)Nos.5508 & 5509 of 2018

WEB COPY

1. Shanmugavel
2. Marimuthu
3. Raja Soundrapandian
4. Banumathi
5. Sankar

... Petitioners/Accused No.1 to 5
vs.

1. The State Rep by its
The Inspector of Police,
All Women Police Station,
Kanyakumari,
Kanyakumari District.

... 1st Respondent/Complainant

2. I. Aruna

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records in **(*)C.C.No.394 of 2018 on the file of the Additional Mahila Court, Magistrate Level, Nagercoil**, and quash the same in respect of the petitioners.
(*)Amended as per order of this Court dated 13.08.2020 in CRL MP (MD).4003 of 2020 in CRL OP(MD).12148 of 2018.

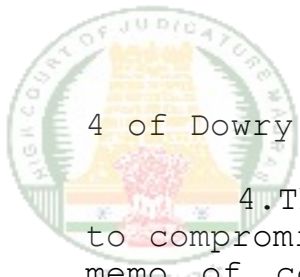
For Petitioners	: Mr.S.Murugesh
For R1	: Mr.S.S.Madhavan, Government Advocate (Crl.Side)
For R2	: Mr.M.P.Senthil

O R D E R

This petition has been filed to quash the proceedings in C.C.No.394 of 2018 on the file of the Additional Mahila Court, Magistrate Level, Nagercoil.

2.It is a dispute between the husband and wife. The first petitioner is the husband and the defacto complainant is the wife. The defacto complainant would submit that because of compromise reached between them, she and her husband are living together.

3.The contention of the petitioners is that based on the complaint lodged by the second respondent, the first respondent registered a case in Crime No.12 of 2016 for the offences punishable under Sections 498(A), 406, 294(b) of Indian Penal Code and Section



4 of Dowry Prohibition Act, 1961.

4.The further contention of the petitioners is that they want to compromise the issue with the second respondent amicably. A joint memo of compromise is filed, which has been duly signed by the petitioners and the second respondent and also by their respective counsels.

5.The petitioners and the second respondent appeared in person along with their respective counsels and also produced their Aadhar cards before this Court. They were also identified by the learned Government Advocate (Criminal side) and Mr.R.Merlin Thanga Ruba, Women Head Constable-303, All Women Police Station, Kanyakumari, Kanyakumari District. Both the parties were enquired by me and they accepted the terms of compromise. Hence the Compromise Memo is recorded.

6. Considering the totality of the circumstances, the nature of the allegations levelled against the petitioner and also in view of the joint compromise memo, dated 15.02.2022, this Court is of the opinion that no useful purpose will be served by keeping the matter pending.

7.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.394 of 2018 on the file of the Additional Mahila Court, Magistrate Level, Nagercoil, 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 petitions are closed.

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

dss

To

- 1.The Additional Mahila Court (Magistrate Level),
Nagercoil.
2. The Inspector of Police,
All Women Police Station,
Kanyakumari,
Kanyakumari District.



COPY TO

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

Cr1.OP(MD)No.12148 of 2018

and

Cr1.MP(MD)Nos.5508 & 5509 of 2018

24.02.2022

SRK(CO)

TR(10.03.2022) 3P 4C