



CrI.O.P.(MD).No.344 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD).No.344 of 2023

Irshath @ Mohamed Irshath ...Petitioner/Accused No.1

Vs.

1. State Rep. by
The Inspector of Police,
Devipattinam PS,
Alagankulam,
Ramanathapuram District.
(In Crime.No.338/2021) ...1st Respondent / Complainant

2. Fathima ... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the impugned C.C. No. 227/2022 on the file of the learned Judicial Magistrate, Additional Mahila Court, Ramanathapuram and quash the same as illegal so far as the Petitioner is concern.

For petitioner : Mr. Venkatesh R.

For R1 : Mr. B.Nambiselvan
Government Advocate(Crl. Side).

For R2 : Mr.D.Senthil Kumar



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ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.227 of 2022 on the file of the learned Judicial Magistrate, Additional Mahila Court, Ramanathapuram.

2.The contention of the petitioner is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.338 of 2021 for the offences punishable under Sections 336, 506(i) IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002.

3.The further contention of the petitioner 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 petitioner and the 2nd respondent and also by their respective counsels.

4.The petitioner and the 2nd respondent appeared before this Court along with their counsels and also produced their Aadhar cards. They



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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 petitioner and also in view of the joint compromise memo, dated 09.03.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending and inclined to quash all further proceedings in C.C.No.227 of 2022 pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Ramanathapuram in respect of the petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.227 of 2022, pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Ramanathapuram is hereby quashed in respect of the petitioner alone. The compromise



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

09.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

- 1.The Judicial Magistrate, Additional Mahila Court, Ramanathapuram.
2. The Inspector of Police, Devipattinam PS,
Alagankulam,
Ramanathapuram District.
(In Crime.No.338/2021)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN,J.

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