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CrI.O.P.(MD)No.1634 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.11.2023**

CORAM:

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

CrI.O.P.(MD)No.1634 of 2023
and
CrI.M.P.(MD).No.1450 & 1454 of 2023

Ramamoorthy

... Petitioner/Sole Accused

Vs.

1.The State

Rep.by the Inspector Police,
Thiruvengadam Police Station,
Thiruvengadam,
Thenkasi District.
(Crime No.199 of 2022)

...1st Respondent/Complainant

2.Santhi

...2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire relevant records related to the impugned proceeding in C.C.No.48 of 2023, pending on the file of the learned Judicial Magistrate Court, Sankarankovil, Tenkasi District, and quash the same as illegal against the petitioner.



Crl.O.P.(MD)No.1634 of 2023

For Petitioner : Mr.N.Kamesh
For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)
For R2 : Mr.C.Murugavel

ORDER

This Criminal Original Petition is filed to call for the entire relevant records related to the impugned proceeding in C.C.No.48 of 2023, pending on the file of the learned Judicial Magistrate Court, Sankarankovil, Tenkasi District, and quash the same as illegal against the petitioner.

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.199 of 2022 for the offences punishable under Sections 498(A), 294(b), 323, 352, 506(ii), 325, 427 IPC, against the petitioner. It appears that it is a matrimonial dispute between the parties and now the defacto complainant decided to join with the petitioner.



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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 were also identified by the learned Government Advocate (Crl.side) 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 10.08.2023, 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.48 of 2023 pending on the file of the learned Judicial Magistrate Court, Sankarankovil, Tenkasi District, 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.48 of 2023, pending on the file of the learned Judicial Magistrate Court, Sankarankovil, Tenkasi District, is hereby quashed in respect of the petitioner and the terms of joint compromise memo shall form part of this order. Consequently, connected Miscellaneous Petitions are closed.

23.11.2023

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

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- 1.The learned Judicial Magistrate Court,
Sankarankovil, Tenkasi District.
- 2.The Inspector Police
Thiruvengadam Police Station
Thiruvengadam
Thenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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