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Crl.O.P(MD)No.3013 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **29.03.2023**

CORAM:

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

Crl.O.P(MD)No.3013 of 2023

Thangaraj : Petitioner/ sole accused
Vs.

1.State rep., by
The Inspector of Police,
Nerkuppai Police Station,
Sivagangai District.
(Crime No.107 of 2021) : 1st Respondent/ Complainant

2.Alagammal : 2nd Respondent/defacto
complainant

PRAYER : Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the impugned charge sheet in S.C.No.183 of 2022 on the file of the learned Fast Track Mahila Court, Sivagangai and quash the same as illegal so far as the petitioner is concerned.

(prayer amended vide Court order dated 29.03.2023 in Crl.M.P(MD).No.4367 of 2023)

For Petitioner : Mr.K.Sivabalan
For Respondents : Mr.S.Manikandan (for R1)
Government Advocate (Crl.side)
Mr.E.Balasubramanian (for R2)



ORDER

This petition has been filed seeking to quash the impugned charge sheet in SC.No.183 of 2022 on the file of the Fast Track Mahila Court, Sivagangai.

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.107 of 2021 for the offences punishable under Sections 294(b) and 307 of IPC against the petitioner.

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 and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.



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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 10.03.2023, 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 SC.No.183 of 2022 pending on the file of the Fast Track Mahila Court, Sivagangai, in respect of the petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in SC.No.183 of 2022 on the file of the Fast Track Mahila Court, Sivagangai, is hereby quashed in respect of the petitioner alone. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

29.03.2023

Index : Yes/No

Internet : Yes/No

Rmk

To

1. The Fast Track Mahila Court, Sivagangai.

2.The Inspector of Police,
Nerkuppai Police Station,
Sivagangai District.

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



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G.ILANGOVA N,J.,

Rmk

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