



Crl.O.P.(MD)No.2732 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.04.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.2732 of 2023

1.A.Muniyasamy

2.M.Nachiyar

... Petitioners/Accused No.1 and 2

Vs.

1..State represented by
The Inspector of Police,
Madurai City Police Station,
K.Pudur,
Madurai District.
In Crime.No.1190 of 2021

... Respondent/Complainant

2.T.Vijayalakshmi

... Respondent/De-facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the Charge sheet in CC No.1239 of 2022 dated 16.08.2022 on the file of learned Judicial Magistrate Additional Mahila Court,Madurai and quash the same as illegal.

For Petitioners : Mr.Manoharan.K

For 1st Respondent : Mr.R.Suresh Kumar
Government Advocate(Crl. Side)



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ORDER

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This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to call for the records pertaining to the Charge sheet in CC No.1239 of 2022 dated 16.08.2022 on the file of learned Judicial Magistrate Additional Mahila Court, Madurai and quash the same.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.1190 of 2021 for the offences punishable under Sections 294(b), 323, 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 against the petitioners. It appears that there is a small issue between the parties.

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



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4.The petitioners 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 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 petitioners and also in view of the joint compromise memo, dated 09.02.2023, 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.1239 of 2022 pending on the file of the learned Judicial Magistrate Additional Mahila Court,Madurai in respect of the petitioners.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.1239 of 2022, pending on the file of the learned Judicial Magistrate / Additional Mahila Court,Madurai is hereby quashed in respect of the petitioners alone. The compromise memo is



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

28.04.2023

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



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WEB COPY To

- 1.The Judicial Magistrate,
Additional Mahila Court,
Madurai.
- 2.The Inspector of Police,
Madurai City Police Station,
K.Pudur,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN,J

trp

Order made in
Crl.O.P.(MD)No.2732 of 2023

Dated: 28.04.2023