



Crl.O.P.(MD)No.3400 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **12.10.2023**

CORAM:

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

Crl.O.P.(MD) No.3400 of 2023

1.Surya

2.Pandiammal

3.Sundarapandian

4.Suganya

5.Ragupathi

... Petitioners / Accused Nos.1 to 5

Vs.

1.State rep. by

The Inspector of Police,
All Women Police Station,
Nilakkottai,
Dindigul District,
(Crime No.2 of 2021).

... Respondent / Complainant

2.Kavya

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the charge sheet in C.C.No.79 of 2022 on the file of the Judicial Magistrate Court, Nilakkottai and to quash the same as illegal in respect of the petitioners.

For Petitioners : Mr.D.Senthil

For R1 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)



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For R2

: Mr.V.Elaiyaraja

ORDER

These Criminal Original Petition has been filed seeking to call for the records pertaining to the charge sheet in C.C.No.79 of 2022 on the file of the Judicial Magistrate Court, Nilakkottai and to quash the same as illegal in respect of the petitioners.

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, as the case may be, in Crime No.2 of 2021 for the offences punishable under Sections 498(A), 294(b), 506(i) of IPC and Section 4 of Dowry Prohibition Act, against the petitioners. It appears that it is a matrimonial dispute 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.



4.The petitioners and the 2nd respondent in both cases, 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. Compromise has been reached between the parties for which they have decided to get divorce from the concerned Magistrate Court and exchange of articles also between them. In view of the maintenance, they have decided to settle the same out of the Court. In this regard, they stated that no reference or observation may be recorded by this Court.

6. 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 20.04.2023, 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.79 of 2022 on the file of the Judicial Magistrate Court, Nilakkottai, is quashed and the compromise memo is recorded.



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7. In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.79 of 2022 on the file of the Judicial Magistrate Court, Nilakkottai, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

12.10.2023

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

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To

- 1.The Judicial Magistrate Court, Nilakkottai.
2. The Inspector of Police, All Women Police Station,
Nilakkottai, Dindigul District, (Crime No.2 of 2021)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN. J.

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