



Crl.O.P.(MD)No.4026 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **06.03.2023**

CORAM:

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

Crl.O.P.(MD) No.4026 of 2023

1.D.Kumar

2.N.Latha

3.Mariappan

... Petitioners/Accused 1 to 3

Vs.

1.State rep. by

The Inspector of Police,
AWPS Town Police Station,
Thilagar Thidal, Madurai.
(Crime No.11 of 2016)

... 1st Respondent/Complainant

2.S.Sindhu

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in C.C.No.95 of 2017 pending on the file of the learned Additional Mahila Court, Madurai and to quash the same as illegal.

For Petitioners : Mr.M.Keerthi Prasana

For R1 : Mr.R.Nambiselvan
Additional Public Prosecutor

For R2 : Mr.R.Srinivasan



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ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.95 of 2017 on the file of the learned Judge, Additional Mahila Court, Madurai.

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.11 of 2016 for the offences punishable under Sections 498(A), 406 of IPC and Section 4 of Dowry Prohibition Act, 1961, against the petitioners. It appears that it is a matrimonial issue between the parties.

3.The further contention of the petitioners is that they compromised the issue with the 2nd respondent amicably. As per the agreement reached between the parties, total amount of Rs.5,00,000/- has been given as one time alimony. That was also received by the defacto complainant/2nd respondent. She has also made an endorsement to that effect in the document. The copy of the document has also been produced. 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 28.02.2023, 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.95 of 2017 pending on the file of the learned Judge, 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.95 of 2017, pending on the file of the learned Judge, Additional Mahila Court, Madurai is hereby quashed in respect of the petitioners alone. The compromise memo is recorded and



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

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Index : Yes/No
Internet : Yes/No
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To

- 1.The Judge, Additional Mahila Court, Madurai.
- 2.The Inspector of Police,
AWPS Town Police Station,
Thilagar Thidal, Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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