



Crl.O.P.(MD)No.5853 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:19.04.2023

CORAM:

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

Crl.O.P.(MD) No.5853 of 2023

and

Crl.MP(MD)No.5122 of 2023

1.Wisilin @ Wiselin

2.Robinson

3.Santhi

4.Anisha

: Petitioners/A1 to A3

Vs.

1.The State of Tamil Nadu

Rep. by Inspector of Police,

All Women Police Station,

Marthandam,

Kanyakumari District.

(Crime No.15 of 2022)

: R1/Complainant

2.Jenisha

: R2/De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the case in Crime No.15 of 2022 on the file of the 1st respondent and quash the same and pass such other orders.

For Petitioners : Mr.C.K.M.Appaji

For R1 : Mr.R.Suresh Kumar
Government Advocate
(Criminal side)

For R2 : Mr.M.K.Suresh



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ORDER

This petition has been filed seeking to quash the FIR in Crime No.15 of 2022 on the file of the 1st respondent police.

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.15 of 2022 for the offences punishable under Sections 498(A), 406, 294(b) and 506(i) IPC and sections 3(1) and 4 of the Dowry Prohibition Act, as against the petitioners.

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 appeared before this Court along with their counsels and also produced their Aadhar cards. They have stated that at the time of hearing the anticipatory bail petition, the matter was referred to the Mediation and Conciliation Centre, attached to this Bench and there was a compromise between them, by which, both



parties mutually agreed to dissolve the marriage through mutual consent, upon which, they have also filed a petition before the Sub Court, Thakkaley and now it is pending.

5.With regard to the amount, Rs.2,75,000/- has been agreed and that was also paid in the presence of the Mediator to the de-facto complainant and in-turn, the de-facto complainant handed over seven sovereigns of gold thali chain to A1. 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.

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, this Court is of the opinion that no useful purpose will be served by keeping the matter pending and inclined to quash FIR in Crime No.15 of 2022 pending on the file of the 1st respondent police, in respect of the petitioners.



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7.In the result, the Criminal Original Petition stands allowed and the FIR in Crime No.15 of 2022 pending on the file of the 1st respondent, is hereby quashed. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order. Consequently, connected Miscellaneous Petition is closed.

19/04/2023

Index : Yes/No
Internet : Yes/No
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To

- 1.The Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN. J.

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