



Crl.O.P.(MD).Nos.7697of 2022 and 22630 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).Nos.7697of 2022 and 22630 of 2023
and Crl.M.P.(MD).Nos.5247 of 2022, 17689 and 17690 of 2023

Rajprabhu

... petitioner/2nd Accused
in Crl.O.P.(MD).No.7697 of 2022

1.Ramkumar
2.Elayaraja
3.Santhi

... Petitioners/Accused Nos.1, 3 and 4
in Crl.O.P.(MD).No.22630 of 2023

Vs.

1.State rep. by,
The Inspector of Police,
All Women Police Station,
Uthamapalayam,
Theni District.

... Respondent/Complainant
in both petitions

2.Abarna

... Respondent/Defacto Complainant
in both petitions

COMMON PRAYER : Criminal Original Petitions filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the proceedings in C.C.No.27 of 2022, on the file of the learned Judicial Magistrate, Uthamapalayam and quash the same in so far as the petitioners is concerned.

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For petitioner : Mr.N.R.Elango for
in Crl.O.P.(MD).No.7697 of 2022 Mr.S.Senthil Vel

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For Petitioners : Mr. Jothisivam
in Crl.O.P.(MD).No.22630 of 2023

For Respondents in : Mr.M.Sakthi Kumar for R1
both petitions Government Advocate (Crl. Side)
Mr.R.Ramanujam for R2

COMMON ORDER

This Criminal Original Petitions have been filed seeking to quash the charge sheet in C.C.No.27 of 2022 on the file of the learned Judicial Magistrate, Uthamapalayam.

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.3 of 2021 for the offences punishable under Sections 498(A), 294(b), 506(i) of IPC, 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.



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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 Government Advocate (Crl. side) and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. The defacto complainant is present along with her father now they wanted to separate mutually. H.M.O.P.No.712 of 2021 is going to be withdrawn by the first accused. DVC proceedings is also going to be withdrawn by the defacto complainant. Rs.10,00,000/- (Rupees Ten Lakhs only) was received as maintenance amount for the child. So far as second respondent is concerned she has not claim any maintenance amount. 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, 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.27 of 2022 pending on the file of the



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learned Judicial Magistrate, Uthamapalayam in respect of the
petitioners.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.27 of 2022, pending on the file of the learned Judicial Magistrate, Uthamapalayam is hereby quashed in respect of the petitioners alone. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order. Consequently, connected miscellaneous petitions are closed.

19.12.2023

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

To

1.The Judicial Magistrate, Uthamapalayam.

2.The Inspector of Police,
All Women Police Station,
Uthamapalayam,
Theni District.

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

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G.ILANGO VAN,J.

TM

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