



Crl.O.P.(MD)No.8181 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:28.04.2023

CORAM:

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

Crl.O.P.(MD) No.8181 of 2023

and

Crl.MP(MD)No.7162 of 2023

1.Ameer Abbas

2.Kaja Mydeen

3.Allima

4.Mohamed Abudhahir @ Abuthahir : Petitioners/A1 to A4

Vs.

1.State through

The Inspector of Police,

Thiruparankundram All Women Police Station,

Madurai District.

(Crime No.12 of 2022)

: R1/Complainant

2.Fahima Brethous

: R2/De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records connected with the charge sheet in CC No. 197 of 2023 on the file of the Judicial Magistrate No.VI, Madurai and quash the same as illegal and pass such further or other orders

For Petitioners : M/s.A.Jayalakshmi

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

For R2 : Mr.K.Gokul



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ORDER

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This petition has been filed seeking to quash the charge sheet in CC No.197 of 2023 on the file of the Judicial Magistrate No.VI, 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.12 of 2022 for the offences punishable under Sections 498(A) and 406 IPC, as against the petitioners and it was taken cognizance in CC No.197 of 2023 by the Judicial Magistrate No.VI, Madurai.

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 were also identified by the learned Government Advocate (Criminal side) and the Investigation Officer. The de-facto complainant has stated that



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she is not going to claim any maintenance amount from A1. Apart from that, it is also agreed that the child must be taken care by the de-facto complainant, which is also agreeable by the parties. 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 27/03/2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending and inclined to quash CC No.197 of 2023 pending on the file of the Judicial Magistrate No.VI, Madurai, in respect of the petitioners.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in CC No.197 of 2023 pending on the file of the Judicial Magistrate No.VI, Madurai, is hereby quashed as against the petitioners. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order. Consequently, connected Miscellaneous Petition is closed.

28.04.2023

Index : Yes/No
Internet : Yes/No
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To

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- 1.The Judicial Magistrate No.VI,
Madurai.
- 2.The Inspector of Police,
Thiruparankundram All Women Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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