



Crl.O.P.(MD)No.7577 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **14.06.2023**

CORAM:

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

Crl.O.P.(MD) No.7577 of 2023

Subbaiah @ Suresh

... Petitioner/1st Accused

Vs.

1.The State rep. by
The Inspector of Police,
All Women Police Station,
Ramanathapuram District.
(Crime.No.15/2021).

... 1st Respondent/Complainant

2. Vinothini

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the charge sheet in C.C.No.69 of 2022 on the file of Additional Mahila Court, Ramanathapuram and Quash the same as against the Petitioner/Accused No.1.

For Petitioner : Mr.M.Subashbabu, Senior Counsel,
for M/s. Subash Law Office.

For R1 : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)



ORDER

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This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.69 of 2022 on the file of the Additional Mahila Court, Ramanathapuram.

2.The contention of the petitioner is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.15 of 2021 for the offences punishable under Sections 498(A), 294(b), 323, 506(i), 406 IPC and Section 4 of Dowry Prohibition Act, against the petitioner.

3. It is the matrimonial issue between the first accused and the second respondent. The first accused who is residing in Netherlands is appeared through Video Conference Call is verified by the defacto complainant and the learned counsel for the petitioner on record.

4. The second respondent has stated that because of mutual agreement between the parties, they were separating, by which Rs.25,00,000/- has been paid as permanent alimony. So far the child is concerned, the second respondent is willing to take care of the child.



5.The further contention of the petitioner 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 petitioner and the 2nd respondent and also by their respective counsels.

6.The petitioner 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.

7.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioner and also in view of the joint compromise memo, dated 16.02.2023, 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.69 of 2022 pending on the file of the Additional Mahila Court, Ramanathapuram, is quashed and the compromise memo is recorded.



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8.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.69 of 2022, pending on the file of the learned Additional Mahila Court, Ramanathapuram, is hereby quashed in respect of the petitioner and the terms of joint compromise memo shall form part of this order.

14.06.2023

Index : Yes/No
Internet : Yes/No
Indu

Note:Issue order copy on 14.08.2023



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To

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



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G.ILANGO VAN. J.

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