



CrI.O.P.(MD)No.7385 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.04.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.7385 of 2023

Rajkumar

... Petitioner/Accused No.1

Vs.

1. State through

The Sub Inspector of Police,
AWPS Thallakulam Police Station,
Madurai City

(In Crime No.36 of 2020)

...1st Respondent/Complainant

2. C.Rubika

...2nd Respondent/Defacto complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to C.C.No.295 of 2021 on the file of the Additional Mahila Court (Judicial Magistrate Level), Madurai and quash the same as against the petitioner is concerned.

For Petitioner

: Mr.R.Jenifar Bibin

For R1

: Mr.B.Nambiselvan

Additional Public Prosecutor

For R2

: Mr.R.J.Karthick

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.295 of 2021 on the file of the Additional Mahila Court (Judicial Magistrate Level), Madurai.



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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.36 of 2020 for the offences punishable under Sections 417, 385, 354D(2), 506(1) r/w 34 IPC, against the petitioner. After completion of investigation, charge sheet has been filed and the same has been taken on file in C.C.No.295 of 2021 on the file of the Additional Mahila Court (Judicial Magistrate Level), Madurai.

3.The further contention of the petitioner is that he 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 respondent No.2 also by their respective counsels.

4.The petitioner and respondent No. 2 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 petitioner and also in view of the joint



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compromise memo, dated 20.04.2023, 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.295 of 2021 on the file of the Additional Mahila Court (Judicial Magistrate Level), Madurai in respect of the petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.295 of 2021 on the file of the Additional Mahila Court (Judicial Magistrate Level), Madurai, is hereby quashed in respect of the petitioner alone. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

20.04.2023

Index : Yes/No
Internet:Yes/No
tta/CM

To

1. The Sub Inspector of Police,
AWPS Thallakulam Police Station,
Madurai City
(In Crime No.36 of 2020)
2. The Additional Mahila Court (Judicial Magistrate Level), Madurai
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

G.ILANGO VAN, J.,



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