



Crl.O.P.(MD)No. 8089 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.11.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No. 8089 of 2023

and

Crl.M.P.(MD).No.7062 of 2023

1.G.Vivekanand

2.N.N.Ganesan

3.G.Saroja

... Petitioners/Accused No 1,2 and 3

Vs.

1. The Inspector of Police

All Women Police station,

Tallakulam, Madurai City.

(Crime No 4 of 2023).

... 1st Respondent/Complainant

2. B.Rajeswari

... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records of the proceedings in Crime No.4 of 2023 on the file of the first respondent/AWPS, Tallakulam, Madurai City, quash the same.



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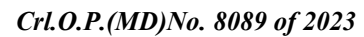
For Petitioner : Mr.T.K.Gopalan
For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)
For R2 : Mr.M.Jagadees Pandian

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.4 of 2023 on the file of the first respondent/AWPS, Tallakulam, Madurai City.

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.4 of 2023 for the offences punishable under Sections 498(A) and 406 of IPC, against the petitioners.

3.The first petitioner and the victim both together filed divorce petition before the Family Court, Ahmedabad, in H.M.P.No.1795 of 2023. It is also admitted by both the parties that the primary alimony a sum of Rs.50,00,000/- (Rupees Fifty Lakhs Only) was deposited to the



Out of the said of Rs.50,00,000/-, Rs.10,00,000/- was withdrawn by the wife of the first petitioner. It is also stated that the balance amount of Rs.40,00,000/-, which is remaining in the account of the family Court, will be withdrawn by the wife of the first petitioner with proper application, after disposing divorce petition.

4. 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.

5. 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. Hence, the Compromise Memo is recorded.



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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, dated 26.09.2023, 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 Crime No.4 of 2023 pending on the file of the 1st respondent police in respect of the petitioners.

7.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.4 of 2023, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioners. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order. Consequently, the connected criminal miscellaneous petition is closed.

28.11.2023

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

vsg

Note:Issue Order Copy on 29.11.2023.

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To

- 1.The Family Court,
Ahmedabad.
- 2.The Inspector of Police
All Women Police station,
Tallakulam, Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J

vsg

Order made in

CrI.O.P.(MD)No. 8089 of 2023

Dated: 28.11.2023