



Crl.O.P.(MD)No.10066 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.10066 of 2023

and

Crl.M.P(MD).Nos.8034 and 8035 of 2023

1.Alexandar

2.Chandraprabha

3.Singam

... Petitioners

Vs.

1.State rep. by
The Inspector of Police,
All Women Police Station,
Thilagarthidal PS,
Madurai.

2.Tharani

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to C.C.No. 1762 of 2022 on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai as far as the petitioners are concerned and quash the same.

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For Petitioners : Mr.A.Jayaramachandran
For R1 : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., to call for the records pertaining to C.C.No.1762 of 2022 on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai as far as the petitioners are concerned and quash the same.

2. The petitioners have filed Crl.O.P(MD).Nos.1363 and 1871 of 2018 before this Court and the same was allowed on 20.09.2019, on the ground that the compromise reached between the parties. Therefore, the case in Crime No.15 of 2017 on the file of the All Women Police Station, Aundipatty, Theni District, was quashed against these petitioners, the above said observations reads as follows ;

" 2.The learned counsel for the petitioner submitted that immediately after registering a complaint, the first accused / husband returned all the jewels and also the house-hold articles to the parents of the defacto



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complainant / wife. Therefore, compromise has also been made between the petitioners and the defacto complainant. The wife / defacto complainant herein also filed a divorce petition in H.M.O.P.No.166 / 2018 before the learned Sub-Court, Theni and she obtained a decree on 11.03.2019. Thereafter, now she is residing at Chennai and she is not pressing the complaint registered in Crime No.15 of 2017 on the file of the first respondent police.

3. The learned counsel for the second respondent submitted that the first accused / husband already handed over the jewels to the parents of the defacto complainant.

4. The learned Government Advocate (CrI.Side) would submit that the settlement has been arrived between the petitioners and the second respondent / wife. But, the FIR is still pending and the respondent police did not file any final report in the said complaint.

5. Considering the above facts and circumstances, in view of the settlement arrived between the petitioners and the second respondent by returning the jewels and other



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house-hold articles and also the decree of divorce obtained by the second respondent dated 11.03.2019, the pendency of FIR in Crime No.15 / 2017 would not serve any purpose.

6. Considering the above facts and circumstances, FIR in Cr.No.15 / 2017 on the file of the first respondent police is hereby quashed. Accordingly, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed."

3.In view of the above, this Criminal Original Petition stands allowed and the entire proceedings in C.C.No.1762 of 2022 on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai, is hereby quashed, since without taking note of the above order, final report is filed. Consequently, the connected miscellaneous petitions are closed.

09.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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WEB COPY To,

- 1.The Inspector of Police,
All Women Police Station,
Thilagarthidal PS,
Madurai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN,J

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Order made in

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Dated : 09.06.2023