



Crl.O.P.(MD)No.10305 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.06.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.10305 of 2023
and Crl.M.P.(MD)Nos.8199 and 8200 of 2023

1.N.Mohan

2.M.Nirmala

... Petitioners

Vs.

1. The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.

2. Varalakshmi

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the Charge sheet in C.C.No.210 of 2019 pending on the file of the Learned Judicial Magistrate No.II, Sivakasi in Crime No.370 of 2016 dated 05.06.2016 for an alleged offence Section 294 (b), 323, 427, 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and quash the same.

For Petitioners

For R1

For R2

: M/s. Thirumurugan.T.

: M/s.B.Nambiselvan

Additional Public Prosecutor

: Mr. Kalidass.A



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ORDER

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This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.210 of 2019 pending on the file of the Learned Judicial Magistrate No.II, Sivakasi.

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.1151 of 2020 for the offences punishable under Sections 294 (b), 323, 427, 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, against these petitioners.

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 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.



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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 19.06.2023, 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 C.C.No.210 of 2019 pending on the file of the Learned Judicial Magistrate No.II, Sivakasi, in respect of the petitioners.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.210 of 2019 pending on the file of the Learned Judicial Magistrate No.II, Sivakasi, is hereby quashed in respect of the petitioners alone. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order. Consequently, the connected miscellaneous petitions are closed.

21.06.2023

Index : Yes/No
Internet:Yes/No
tta

To

1. The Judicial Magistrate No.II, Sivakasi
2. The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar 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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