



CrI.O.P.(MD).No.11702/2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.06.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD).No.11702 of 2023

Mohamed Faizal ... Petitioner/Sole Accused

Vs.

1.State rep. by
The Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.
(Crime No.165/2021)

... Respondent/Complainant

2.Seyathali Fathima ... 2rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records to quash the charge sheet in C.C.No.243/2022 in Cr.No.165/2021 on the file of the Judicial Magistrate, paramakudi, Ramanathapuram district and pass such and further or other orders.

For Petitioner : Mr.R.Balaji

For Respondents : Mr.B.Nambiselvan for R1
Government Advocate (CrI. Side)

Mr. S. Srikanth for R2



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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.243 of 2022 on the file of the learned Judicial Magistrate, Paramakudi, Ramanathapuram District.

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.165 of 2021 for the offences punishable under Sections 294(b), 323 & 324 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2022, against the petitioner.

3.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.

4.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



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Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. This is the issue between the husband and wife. 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 compromise memo, dated 13.06.2023, 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 in C.C.No.243 of 2022 pending on the file of the learned Judicial Magistrate, Paramakudi, Ramanathapuram District in respect of the petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.243 of 2022, pending on the file of the learned Judicial Magistrate, Paramakudi, Ramanathapuram District 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.

30.06.2023



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

To

- 1.The Judicial Magistrate, Paramakudi, Ramanathapuram District.
- 2.The Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.
(Crime No.165/2021)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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