



Crl.O.P.(MD).No.11419 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.11419 of 2023

1.Munish Divkar @ Munessthivagar
2.Ramachandran
3.Vasugi @ Vasuki
4.Raja @ Pandiarajan .. Petitioners/Accused No.1 and 2

Vs.

1.State rep. by
The Inspector of Police,
All Women Police Station,
Andipatti, Theni District.
(Crime No.5 of 2023) ... 1stRespondent/Complainant

2.Nanthini @ Nandhini ... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records pertaining to the case registered in impugned charge sheet in C.C.No.228 of 2023 on the file of the learned judicial Magistrate, Aundipatti, in connection with crime No. 5/2022 on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.B.Arun

For Respondents : Mr.B.Nambiselvan for R1
Additional Public Prosecutor
Mr.S.Pradeep for R2



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ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.228 of 2023 on the file of the learned Judicial Magistrate, Aundipatti.

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.5 of 2022 for the offences punishable under Sections 498(A), 495, 506(ii) of IPC and Section 4 of Dowry Prohibition Act against the 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



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Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. The defacto complainant is present and stated that she is living along with her mother. She would submit that they are mutually decided to separate from each other and also not going to get any maintenance amount from the first accused.

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, 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.228 of 2023 pending on the file of the learned Judicial Magistrate, Aundipatti in respect of the petitioners.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.228 of 2023, pending on the file of the learned Judicial Magistrate, Aundipatti 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.

26.06.2023



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

To

- 1.State rep. by
The Inspector of Police,
All Women Police Station,
Andipatti, Theni District.
(Crime No.5 of 2022)
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN,J.

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