



Crl.O.P(MD).No. 14406 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 30.11.2023

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THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.O.P(MD).Nos.14406 of 2020 & 5535 of 2021

and

Crl.M.P(MD).Nos.6742 of 2020 & 3173 & 3174 of 2021

Crl.O.P(MD).No.14406 of 2020

1.C.Stalin Raj

... 1st Petitioner/Accused No.2

2.Jones Raji

... 2nd Petitioner/Accused No.1

*(P2 is impleaded as per Order of the Court dated
30.11.2023 in Crl.M.P(MD).No.16861 of 2023 in
Crl.O.P(MD).No.14406 of 2020)*

Vs.

1. State Rep. by

The Inspector of Police,
All women Police Station,
Marthandam,
Kanyakumari District,
(In Crime No.45/2019)

... 1st Respondent/Complainant

2. Subhashini

... 2nd Respondent
/Defacto Complainant

PRAYER: Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for the records pertaining to the impugned charge sheet in C.C.No.86 of 2020, on the file of the Learned Judicial Magistrate No.II, Padmanabhapuram, Kanyakumari District and to quash the same as illegal in so far as the petitioner is concerned.



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Crl.O.P(MD).No. 14406 of 2020

For Petitioners : Mr.C.Kishore

For Respondents : Mr. P.Kottaichamy,
Government Advocate(Crl.Side) for R1

: Mr.R.Murugan for R2

Crl.O.P.(MD).No.5535 of 2021

Krishna Kumari

... Petitioner/Accused No.3

Vs.

1. State Rep. by
The Inspector of Police,
All women Police Station,
Marthandam,
Kanyakumari District,

... 1st Respondent/Complainant

2. Subhashini

... 2nd Respondent
/Defacto Complainant

PRAYER: Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for the records pertaining to the impugned charge sheet in C.C.No.86 of 2020, on the file of the Learned Judicial Magistrate No.II, Padmanabhapuram, Kanyakumari District and to quash the same as illegal in so far as the petitioner is concerned.



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Crl.O.P(MD).No. 14406 of 2020

For Petitioner : Mr.M.Krishna Sreethar

For Respondents : Mr. P.Kottaichamy,
Government Advocate(Crl.Side) for R1

: Mr.R.Murugan for R2

COMMON ORDER

The petitioner in Crl.O.P.(MD).No.5535 of 2021, is the third accused in C.C.No.86 of 2020 and the petitioners in Crl.O.P.(MD).No.14406 of 2020, are the first and second accused in C.C.No.86 of 2020.

2. The accused Nos.1 to 3 in C.C.No.86 of 2020, on the file of the learned Judicial Magistrate No.II, Padmanabhapuram has filed these petitions to quash the above proceedings.

3. The petitioners in Crl.O.P.(MD).No.14406 of 2020 are the brother-in-law and husband of the second respondent. The petitioner in Crl.O.P.(MD).No. 5535 of 2020 is the neighbour of the husband of the second respondent. The second respondent, after her marriage on 20.08.2015, made a complaint before



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the respondent police alleging that the petitioners, and other in-laws have caused cruelty to her and demanded further dowry. Further, they are refused to return the jewels and the other household articles. Therefore, respondent police registered the case and investigated the matter and filed a final report for the offences punishable under Sections 406, 498(a) and 506(i) of IPC r/w Section 3(1), 4 and 6 of Dowry Prohibition Act, 1961 and the same was taken on file in C.C.No.86 of 2020 by the learned Judicial Magistrate No-II, Padmanabhapuram.

4. To quash the same, the petitioners filed these quash petitions before this Court. Pending the same, the defacto complainant/second respondent herein and the petitioners amicably settled their issues in the interest of both parties. A joint memo of compromise is filed, which has been duly signed by the petitioner and the second respondent and also by their respective counsel.

5. The petitioners and the second respondent appeared before this Court along with their respective counsel and also produced their Aadhar cards before this Court. They were also identified by the learned Additional Public Prosecutor and the Investigating Officer. Both the parties affirmed the compromise before this Court and the defacto complainant submitted that she has no objection to



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quash the proceedings. Hence, the compromise memo is recorded.

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6. Considering the issue relating to the matrimonial dispute, the nature of the allegations levelled against the petitioners and also in view of the joint compromise memo, dated 27.11.2023, this Court is of the opinion that no useful purpose would be served by driving the parties to face the trial. Hence, in the interest of justice, this Court is inclined to quash the proceedings on the basis of the compromise.

7. In the result, these Criminal Original Petitions are allowed and the entire proceedings in C.C.No.86 of 2020, on the file of the learned Judicial Magistrate No-II, Padmanabhapuram, is hereby quashed *in respect of the petitioners herein* and the terms of joint compromise memo shall form part of this order. Consequently, the connected Miscellaneous Petitions are closed.

30.11.2023

1/2

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

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1. The Learned Judicial Magistrate No.II,
Padmanabhapuram, Kanyakumari District.
2. The Inspector of Police,
All women Police Station,
Marthandam, Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K.K.RAMAKRISHNAN, J.

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30.11.2023
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