



Crl.O.P.(MD).No.14539 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.14539 of 2023
and Crl.M.P.(MD).No.11456 of 2023

1. Mahesh @ Murugan
2. Esakkiammal
3. Seenivasan
4. Hemalatha
5. Mani @ Manikandan
6. Gnanaothayam
7. Selvi

... Petitioners

Vs.

- 1.The State Rep by,
Inspector of Police
All Women Police Station,
Tiruchendur,
Thoothukudi District
(Crime No.1 of 2017)

- 2.Muthulakshmi

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to pass an order to stay all further and other proceedings in C.C.No.51 of 2017 on the file of the Judicial Magistrate, Sathankulam, Thoothukudi District, pending disposal of the above Quash Petition.



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For Petitioners : Mr.A.D.Ganeshamoorthi
For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)
For R2 : Mr.K.Vetrimani

ORDER

This Criminal Original Petition is filed to call for the records pertaining to the case registered in impugned charge sheet in C.C No. 51 of 2017 on the file of the Learned Judicial Magistrate, Sathankulam, Thoothukudi District, and quash the same.

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.1 of 2017 for the offences punishable under Sections 498(A), 406 of IPC r/w 4 of Dowry Prohibition Act, 1961, against the petitioners.

3.The further contention of the petitioners is that they compromised the issue with the 2nd respondent amicably. A joint memo



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of compromise was filed, which has been duly signed by the petitioners and the 2nd respondent and also by their respective counsels. They have decided to separate by mutual consent and as a permanent alimony, the defacto complainant has received a sum of Rs.3,00,000/-.

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.

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 25.07.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in C.C No. 51 of 2017 on the file of the Learned Judicial Magistrate, Sathankulam, Thoothukudi District, is quashed and the compromise memo is recorded.



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6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C No. 51 of 2017 on the file of the Learned Judicial Magistrate, Sathankulam, Thoothukudi District, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order. Consequently, connected miscellaneous petition stands closed.

27.11.2023

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

- 1.The Judicial Magistrate, Sathankulam, Thoothukudi District.
- 2.The Inspector of Police, All Women Police Station,
Tiruchendur, Thoothukudi District. (Crime No.1 of 2017)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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