



Crl.O.P(MD).No.18590 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 07.09.2023

CORAM:

THE HONOURABLE MR. JUSTICE P. DHANABAL

Crl.O.P(MD).No.18590 of 2021

and

Crl.M.P.(MD)Nos.10276 and 10279 of 2021

- 1.Alavudin Aushi
- 2.Alavudin
- 3.Alavudin Jannath
- 4.Alavudin Jalavath

...Petitioners

Vs

- 1.The State Rep. by,
The Inspector of Police,
All Women Police Station,
Madurai South,
Madurai City.
(Crime No.12 of 2018)
- 2.M.Mubarak Ahmed

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying this Court to call for the records pertaining to the above charge sheet in C.C.No.571 of 2020 on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai and quash the same.

For Petitioners	: Mr.R.Senthil Kumar
For 1 st Respondent	: Mr.R.M.Anbunithi Additional Public Prosecutor
For 2 nd Respondent	: Mr.D.Selvanayagan



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ORDER

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When the matter was taken up today for hearing, the learned counsel appearing for the petitioners would contend that already mediation was effected between the parties in Tr.C.M.P.(MD)No.418 of 2019. In the Mediation, the case in C.C.No.571 of 2020 was also referred and as per mediation report, the defacto complainant has no objection to quash the proceedings.

2.Today the learned counsel appearing for the petitioner and defacto complainant also present. The copy of the mediation report was produced before this Court and a perusal of the report, it reveals that the second respondent and victim has agreed to co operate with the petitioners and his family members in seeking to quash the proceeding in C.C.No.571 of 2020 on the file of the Additional Mahila Court, Madurai and she agreed to co operate for giving a quietus to the above C.C.No.571 of 2020. In the mediation report also, the victim signed and the same was witnessed by her father and now the victim was settled in abroad. Since the matter has been settled between the parties, the pending proceedings in C.C.No.571 of 2020 is liable to be quashed.



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3.The learned counsel appearing for the petitioner relied on the

following judgments:-

(i)Rahul Joshi v. State of UP and Ors in Transfer Petition (Criminal) No. 59 of 2021

(ii)Narinder Singh & Ors. v. State of Punjab and another in Criminal Appeal in 686 of 2014

(iii)Haider Ali and three others v. State of U.P. And another in Application No.8466 of 2023.

(iv)Dinesh v. State of Kerala and another in Crl.M.C.No.5355 of 2015.

4.On careful reading of the above judgments, it is clear that based on the compromise arrived between the parties, the matrimonial dispute case can be quashed by this Court.

5.In view of the aforesaid judgments and in view of the settlement arrived between the parties, this Criminal Original Petition is allowed and the charge sheet in C.C.No.571 of 2010 on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai is hereby quashed. Consequently, connected miscellaneous petitions are closed.

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NCC : Yes/No

Internet : Yes/No

Index : Yes/No

Mrn



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P. DHANABAL,J.

Mrn

To

- 1.The Judicial Magistrate, Additional Mahila Court, Madurai.
- 2.The Inspector of Police,
All Women Police Station,
Madurai South,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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