



Crl.O.P.(MD)Nos.16242 and 11605 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **08.09.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD) Nos.16242 and 11605 of 2023

Crl.O.P.(MD) No.16242 of 2023

1.Murugan

2.Subash Chandru

3.Suruli

4.Subbulakshmi

5.Lakshmanan

6.Rajkumar

... Petitioners / Accused Nos.1 to 6

Vs.

1.The State rep. by

The Inspector of Police,
Palanichetty patti Police Station,
In Crime No.474 of 2021,
Theni District.

... Respondent / Complainant

2.Karthikeyan

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the Charge Sheet in C.C.No.289 of 2023 on the file of learned Judicial Magistrate, Theni and quash the same as illegal.



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For Petitioners : Mr.C.Susi Kumar
For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)
For R2 : Mr.R.Maheswaran

Crl.O.P.(MD) No.11605 of 2023

1.Karthikeyan
2.Shanmugathai
3.Jaya @ Jayalakshmi
4.Akila ... Petitioners / Accused Nos.1 to 4

Vs.

1.The State rep. by
The Inspector of Police,
All Women Police Station,
In Crime No.73 of 2021,
Theni District. ... Respondent / Complainant

2.Parthashalini ... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the Charge Sheet in C.C.No.411 of 2022 on the file of learned Additional Mahila Court (J.M.Level), Theni and quash the same as illegal.

For Petitioners : Mr.C.Susi Kumar
For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)
For R2 : Mr.R.Maheswaran



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COMMON ORDER

These Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.289 of 2023 on the file of the Judicial Magistrate, Theni and C.C.No.411 of 2022 on the file of the learned Additional Mahila Court (JM Level), Theni.

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, as the case may be, in Crime No.474 of 2021 for the offences punishable under Sections 294(b), 352 and 506(ii) of IPC, against the petitioners and in Crime No.73 of 2021 for the offences punishable under Sections 294(b), 323, 406, 498(A), 506(i) and 109 of IPC r/w Section 4 of Dowry Prohibition Act and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002. It appears that it is a matrimonial dispute between the parties and the marriage was dissolved by the learned Judge, Family Court, Theni, in H.M.O.P.No.838 of 2022 by order dated 14.11.2022.

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 in both cases, 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 20.06.2023, 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.289 of 2023 on the file of the Judicial Magistrate, Theni and C.C.No.411 of 2022 on the file of the learned Additional Mahila Court (JM Level), Theni, are quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petitions stand allowed and the entire proceedings in C.C.No.289 of 2023 on the file of the Judicial



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Magistrate, Theni and C.C.No.411 of 2022 on the file of the learned Additional Mahila Court (JM Level), Theni, are hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

09.10.2023

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

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To

- 1.The Judicial Magistrate, Theni.
- 2.The Judge, Additional Mahila Court (JM Level), Theni.
3. The Inspector of Police, Palanichettypatti Police Station,
In Crime No.474 of 2021, Theni District.
- 4.The Inspector of Police, All Women Police Station,
In Crime No.73 of 2021, Theni District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA. J.

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