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Crl.O.P.(MD)No.16091 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD) No.16091 of 2023

1. K.Nazir Khan

2. K.Meharunisha Begam

3. K.Kadar Khan

4. A.Shahina Begam

5. A.Azees Khan

6. K.Kabir Khan

... Petitioners

Vs

1. The Inspector of Police,
All Women Police Station,
Melur, Madurai District,
Crime No.80/2016.

2. N.Mhubeena

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, calling the records pertaining to C.C.No.52 of 2019 on the file of the learned Judicial Magistrate, Melur and quash the same.

For petitioners : Mr. Sheik Abdullah.M

For R1 : Mr.R.Sakthikumar
Government Advocate (Crl.Side)

For R2 : Mr.J.Dharmaraj



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ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.52 of 2019 on the file of the learned Judicial Magistrate, Melur.

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.80 of 2016 for the offences punishable under Sections 498(A), 294(b), 506(ii) r/w 109 of IPC, against the petitioners. It appears that there is a matrimonial issue between the parties.

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 identified by the learned Government Advocate



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(Crl.Side) and the Investigation Officer. They were also appeared before the High Court Legal Services Committee, Madurai. 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, 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.52 of 2019 pending on the file of the learned Judicial Magistrate, Melur in respect of the petitioners .

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.52 of 2019, pending on the file of the learned Judicial Magistrate, Melur is hereby quashed in respect of the petitioners. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

02.11.2023

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



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To

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1. The Judicial Magistrate, Melur.
2. The Inspector of Police,
All Women Police Station,
Melur, Madurai District,
Crime No.80/2016.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

PNM

ORDER IN
CrI.O.P.(MD)No.16091 of 2023

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