



Crl.O.P.(MD)No.20325 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2023

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.20325 of 2021

and

Crl.M.P.(MD)No.11537 of 2021

1.Arunbabu
2.V.Pandian
3.Buvaneswari
4.Anbu Bharathi

... Petitioners

Vs.

1.The Inspector of Police,
All Women Police Station,
Usilampatti,
Madurai District.

2.Prasannadevi

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the F.I.R. registered in Crime No.15 of 2021, dated 20.07.2021, on the file of the All Women Police Station at Usilampatti, the first respondent herein, and quash the same.



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For Petitioners : Mr.S.K.Mani
For R1 : Mr.R.Meenakshisundaram
Additional Public Prosecutor
For R2 : Mr.R.Devaraj

ORDER

The petitioners, who are accused in Crime No.15 of 2021, registered by the first respondent herein for the offences under Sections 498-A, 294(b) and 506(i) I.P.C. and Section 4 of Dowry Prohibition Act, 1961, filed this petition seeking to quash the F.I.R.

2. The second respondent/de-facto complainant is the wife of the first petitioner. The petitioners 2 and 3 are the parents of the first petitioner and the fourth petitioner is the brother of the first petitioner. There were certain matrimonial discords, which lead to filing of the above case.

3. Though very many grounds were raised in the Criminal Original Petition for quashing the F.I.R., the learned counsel for the petitioners submitted that the second respondent/de-facto complainant now resolved the dispute between them, decided to withdraw the cases against each other



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to give quietus to all cases. A Joint Memo of Compromise filed before the Subordinate Court, Usilampatti, in H.M.O.P.No.60 of 2022. She agreed to withdraw D.V.O.P.No.12 of 2021. Further, the petitioners filed Crl.O.P.(MD)No.19911 of 2021 before this Court seeking to quash the proceedings in D.V.O.P.No.12 of 2021. Finding compromise arrived at between the parties, this Court directed the second respondent/de-facto complainant to withdraw D.V.O.P.No.12 of 2021. In furtherance to the same, D.V.O.P.No. 12 of 2021 was withdrawn on 11.02.2023.

4. The learned counsel for the petitioners further submitted that the dispute between the first petitioner and the second respondent/de-facto complainant got resolved. Accordingly, a Joint Memo of Compromise, dated 27.02.2023, signed by both the parties along with their respective counsels was filed before the Sub Court, Usilampatti, and all the cases pending against the petitioners were withdrawn and divorce in H.M.O.P.No. 60 of 2022 granted on 06.04.2023.



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5. Today, when the matter is taken up for hearing, a Joint Memo of Compromise, dated 27.02.2023, filed before the Subordinate Court, Usilampatti, produced before this Court. The first petitioner is present before this Court through Video Conferencing and the second respondent/de-facto complainant is present in person before this Court, both identified by one Ms.Anbuselvi, Special Sub-Inspector of Police, All Women Police Station, Usilampatti.

6. The learned Additional Public Prosecutor appearing for the first respondent Police confirmed, the parties present before this Court are the first accused and the de-facto complainant.

7. This Court also enquired the respective counsels appearing for the parties and the respective parties, who present before this Court. They reiterated the compromise arrived at between the parties and all cases were closed except the above case.

8. Considering the above submissions and also considering the fact that the disputes arose out of the matrimonial discord and all the cases



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pending against the petitioners were withdrawn and divorce was also granted on 06.04.2023 by mutual consent, no useful purpose will be served in keeping the First Information Report pending. Therefore, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., inclined to quash the First Information Report in Crime No.15 of 2021.

9. In the result, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.15 of 2021, on the file of the first respondent police, is quashed. The Joint Memo of Compromise, dated 27.02.2023, filed before the Sub Court, Usilampatti, shall form part and parcel of this order. Consequently, connected Miscellaneous Petition is closed.

21.07.2023

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No
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To

WEB COPY

- 1.The Inspector of Police,
All Women Police Station,
Usilampatti,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



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M.NIRMAL KUMAR, J.

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Order made in

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