



Crl.O.P.(MD).No.20245 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.09.2023

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD).No.20245 of 2021

and

Crl.M.P.(MD).Nos.11469 and 11470 of 2021

1.Dhivya

2.Kalarani

... Petitioners/

Accused Nos.1 & 2

Vs.

1.The Sub Inspector of Police,
Gudalur North Police Station,
Gudalur,
Theni District.
(Crime No.266/2018)

...1st Respondent/Complainant

2.Jeya

...2nd Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records relating to the proceedings in C.C. No.37 of 2021 on the file of the learned Judicial Magistrate, Uthamapalayam, Theni District and quash the same as against the petitioners.



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For Petitioners : Mr.S.Sundarapandian
For R-1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor
For R-2 : Mr.C.Ramesh

ORDER

The petitioners, who are the accused in C.C.No.37 of 2021 facing trial for the offences under Sections 294(b), 342 and 506(2) IPC, had filed this quash petition.

2. The gist of the case is that on 11.09.2018 at about 8.30 PM, when the second respondent/defacto complainant was at her house, the first petitioner herein/daughter-in-law of the defacto complainant and the second petitioner/mother of the first petitioner had entered into her house, abused the defacto complainant and threatened her that she would be doused with kerosene and set fire. On the complaint of the defacto complainant, a case was registered in Crime No.266/2018. Investigation was completed and charge sheet was filed before the Trial Court on 13.11.2018 listing witnesses L.W.1 to L.W.8 and documents.



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3. The learned counsels for the petitioners and the second respondent/defacto complainant submitted that the issue is between the mother-in-law and daughter-in-law and now the issue is resolved. The defacto complainant's son and the first petitioner have reconciled and now they are living as husband and wife independently and happily. After the compromise, both the petitioners and the defacto complainant are visiting each other and maintaining cordiality.

4. Today, when the matter was called, the petitioners as well as the defacto complainant appeared before this Court and re-affirmed their compromise and also produced a joint compromise memo before this Court. The first respondent, namely, Mr.A.Mayandi, SSI, Gudalur North Police Station, Theni is also present before this Court and their identity is not disputed.

5. The learned Additional Public Prosecutor appearing for the respondent Police submits that the issue had been resolved and the same was reported by the defacto complainant to the respondent Police. The joint compromise memo was submitted to the respondent Police, which was also verified.



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6. In view of the above submissions and finding that the dispute is between the family members and that the issue is now resolved between them, this Court is inclined to quash the further proceedings in C.C.No.37 of 2021. Accordingly, the Criminal Original Petition is allowed and the impugned proceedings in C.C.No.37 of 2021 on the file of learned Judicial Magistrate, Uthamapalayam, Theni District is quashed in terms of the compromise entered into between the parties. The joint compromise memo shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

15.09.2023

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



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To

- 1.The Judicial Magistrate,
Uthamapalayam,
Theni District.
- 2.The Sub Inspector of Police,
Gudalur North Police Station,
Gudalur,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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