



Crl.O.P.(MD)No.17432 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **09.10.2023**

CORAM:

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

Crl.O.P.(MD) No.17432 of 2023

- 1.Mohamed Iliyas
- 2.Mohamed Hussain
- 3.Jafar Nisha
- 4.A.M.MohamedImthiyas
- 5.V.S.A.Rahim
- 6.KathijaBanu
- 7.Mohammed Siddiq
- 8.Mohammed Farook Ali
- 9.Mohammed Ashik Ali
- 10.Syed Abuthahir
- 11.Mumtaj Begum
- 12.Sathick Basha ... Petitioners 1 to 12 / Accused Nos.1 to 12

Vs.

- 1.The State
by the Inspector of Police,
All Women Police Station,
Karur District.
(Crime No.39/2021) ... 1st Respondent/Complainant
- 2.Imrana Banu ... 2nd Respondent/Defacto Complainant



Crl.O.P.(MD)No.17432 of 2023

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned FIR in Crime No.39 of 2021 on the file of the respondent police in AWPS Police Station, Karur dated 24.12.2021 and quash the same.

For Petitioners : Mr.S.Ramsundar Vijayraj
For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)
For R2 : Mr.A.Mohamed Ismail

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.39 of 2021 on the file of the 1st respondent police.

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.39 of 2021 for the offences punishable under Sections 294(b), 323, 406, 498(A), 506(i) of IPC against the petitioners.

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 2 to 12 and the 2nd respondent 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. The Petitioner No.1 / Accused No.1 who is stated to be in prison connected to some other case. Except the first petitioner, all other petitioners are present before this Court. The defacto complainant also present and stated that as per religious customary practice, the marriage has been dissolved among themselves.

6.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 07.09.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in Crime No.39 of 2021 pending on the file of the 1st



Crl.O.P.(MD)No.17432 of 2023

respondent police as against the petitioners 2 to 12, is quashed and the compromise memo is recorded. The first petitioner is concerned, this Criminal Original Petition is dismissed with liberty to the first petitioner / Accused No.1 to revive the application at appropriate time. The first petitioner is permitted to appear through video conference as well as the defacto complainant, if the first petitioner revives the application for quash on the ground of compromise.

7.In the result, the Criminal Original Petition stands partly allowed and the entire proceedings in Crime No.39 of 2021, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioners 2 to 12 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

pnn



Crl.O.P.(MD)No.17432 of 2023

To

1. The Inspector of Police, All Women Police Station,
Karur District. (Crime No.39/2021)
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.17432 of 2023

G.ILANGOVA. J.

pnn

Crl.O.P.(MD) No.17432 of 2023

09.10.2023