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Crl.O.P.(MD)No.17654 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.10.2023**

CORAM:

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

Crl.O.P.(MD) No.17654 of 2023

1.N.Sithik Kader

2.N.Feroze Begum

... Petitioners /Accused 1 & 3

Vs.

1.The State rep. by
The Inspector of Police,
Thiruparankundram AWPS,
Madurai.
(Crime No.71 of 2014)

... 1st Respondent/Complainant

2.H.S.Hajira

... 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 case in C.C.No.720 of 2019 on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai and quash the same.

For Petitioners : Mr.N.Thamimul Ansari

For R1 : Mr.M.Vaikkam Karunanidhi
Government Advocate (Crl.Side)

For R2 : Mr.S.Mohamed Sikkandar



ORDER

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This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.720 of 2019 on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai.

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.71 of 2014 for the offences punishable under Sections 498(A), 406 & 506(ii) of IPC and Section 4 of Dowry Prohibition Act, 1961, 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. The learned counsel for the petitioners would submit that because of the pendency of this case, the passport of the first petitioner has been impounded by the passport authority.

4.The petitioners and the 2nd respondent appeared before this Court along with their counsels and also produced their Aadhar cards. They



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were also identified by the learned Government Pleader (Crl. side) and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. It appears that it is a matrimonial dispute between the parties and now both parties are reunion. 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 20.09.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, this Court is inclined to quash all further proceedings in C.C.No.720 of 2019 pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.720 of 2019, pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

06.10.2023



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Index : Yes/No

Internet : Yes/No

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Note: Issue order copy on 11.10.2023.

To

1.The Judicial Magistrate, Additional Mahila Court, Madurai.

2.The Inspector of Police,
Thiruparankundram AWPS,
Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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