



CrI.O.P.(MD) Nos.17966 and 7769 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.10.2023

CORAM:

THE HONOURABLE DR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD)Nos.17966 and 7769 of 2023

Syed Ali

...Petitioners / 1st Accused
in CrI.O.P.(MD)No.17966 of 2023

1.Mydeen Pitchai

2.Ayishal Banu

3.Aameenal Beebi

4.Siraj Nisha

5.Saribal Beebi

...Petitioners / Accused 2 to 6
in CrI.O.P.(MD)No.7769 of 2023

Vs.

1.The Inspector of Police,
All Women Police Station,
Tenkasi, Tenkasi District,
(In Crime No.11/2019)

...1st Respondent / Complainant

2.Najimal

...2nd Respondent / Defacto Complainant



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PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to proceedings in C.C.35/2021 pending on the file of District Munsif Cum Judicial Magistrate, Sengottai and quash the same.

For Petitioner :Mr.K.P.Narayanakumar

For Respondent :Mr.M.Sakthi Kumar for R1
Government Advocate (CrI. Side)

:Mr.S.Pakalavan for R2

COMMON ORDER

These Criminal Original Petitions have been filed seeking to quash the charge sheet in C.C.35/2021 pending on the file of District Munsif Cum Judicial Magistrate, Sengottai.

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.11 of 2019 for the offences punishable under Sections 147, 498(A), 294(B), 342, 323, 506(2) of IPC and Section 4 of Dowry Prohibition Act, 1961



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and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002, against the petitioners. It appears that it is a matrimonial dispute between the parties and now the defacto complainant.

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. As per the compromise, a sum of Rs.7.50 Lakhs has been given as permanent alimony to the defacto complainant. The child is in the custody of the defacto complainant and there is no agreement between the parties with regard to the maintenance of the child.

4. The petitioners 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.



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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 19.10.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in C.C.35/2021 pending on the file of District Munsif Cum Judicial Magistrate, Sengottai, is quashed and the compromise memo is recorded.

6. In the result, these Criminal Original Petitions stand allowed and the entire proceedings in in C.C.35/2021 pending on the file of District Munsif Cum Judicial Magistrate, Sengottai, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

19.10.2023

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

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To

- 1.The Inspector of Police,
All Women Police Station,
Tenkasi, Tenkasi District,
(In Crime No.11/2019)

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



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