



CrI.O.P.(MD) No.18566 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2023

CORAM:

THE HONOURABLE DR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.18566 of 2023

1.Balasubramaniam

2.Kothai Nayaki

...Petitioners / Accused No.1 & 2

Vs.

1.The State Rep. by,

The Inspector of Police,

All Women Police Station,

Thallakulam,

Madurai City.

(In Crime No.30/2020)

...1st Respondent / Complainant

2.Amirthpriya

...2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the charge sheet in C.C. No.562 of 2021 before the Additional Mahila Court (Judicial Magistrate), Madurai, and quash the same.



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For Petitioner : Mr.D.S.Haroon Rasheed
For R1 : Mr.M.Sakthi Kumar
Government Advocate (crl.side)
For R2 : Mr.S.White Kennedy

ORDER

Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the charge sheet in C.C. No.562 of 2021 before the Additional Mahila Court (Judicial Magistrate), Madurai, and quash the same.

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.30 of 2020 for the offences punishable under Sections 498(A) & 506(i) IPC, against the petitioners. It appears that it is a matrimonial dispute between the parties and both are decided to separate mutually.

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.



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4. The defacto complainant is present before this Court and stated that she is agreed for one time permanent alimony from the first accused for a sum of Rs.5,00,000/-. Out of Rs.5,00,000/-, Rs.2,50,000/- was received by her today by way of Demand Draft. The remaining amount of Rs.2,50,000/- will be paid by the first accused at that time of moving mutual divorce before the Family Court, Madurai. It is also accepted by the defacto complainant.

5. 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.

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 16.10.2023, 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.No. 562 of 2021 pending on the file of the Additional Mahila Court (Judicial



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Magistrate), Madurai, is quashed in respect of the petitioners and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.562 of 2021, pending on the file of the Additional Mahila Court (Judicial Magistrate), Madurai is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

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

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To

1. Additional Mahila Court (Judicial Magistrate), Madurai.
2. The Inspector of Police,
All Women Police Station,
Thallakulam,
Madurai City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN. J.

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