



Crl.O.P.(MD).No.19929 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.19929 of 2023

and Crl.M.P.(MD).No.15638 & 15636 of 2023

- 1.Christo Eljin Raj
- 2.Christy
- 3.Christo Elbin Raj
- 4.Joseph Mary Metilda
- 5.Margaret Vimala
- 6.Amutha

... Petitioners

Vs.

- 1.The State rep.by
The Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District.
Crime No.2/2022

- 2.Angelin Monisha Sharen

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records of the impugned charge sheet in C.C.No.135 of 2022 on the file of the learned Judicial Magistrate court No.I, Padamanabhapuram, Kanyakumari District and quash the same as illegal.



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For Petitioners : Mr.C.Kishore
For R1 : Mr.M.Sakthi Kumar
Government Advocate
(Crl.side)
For R2 : Mrs.J.Shakila

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.135 of 2022 on the file of the learned Judicial Magistrate court No.I, Padamanabhapuram, Kanyakumari District.

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.2 of 2022 for the offences punishable under Sections 498(A), 406 & 420 of IPC and Sections 3(1), 4 & 6 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.



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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 Government Advocate (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. The defacto complainant along with her cousin brother has stated that sum of Rs.9,71,500/- (Rupees Nine Lakhs Seventy One Thousand and five hundred only) has been received from the husband including the cost of some other articles. 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, 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.135 of 2022 pending on the file of the learned Judicial Magistrate court No.I, Padamanabhapuram, Kanyakumari District.



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6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.135 of 2022, pending on the file of the learned Judicial Magistrate court No.I, Padamanabhapuram, Kanyakumari District is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order. Consequently, connected miscellaneous petitions are closed.

30.11.2023

Index : Yes / No
Internet : Yes / No
TM

To

- 1.The Judicial Magistrate No.I, Padamanabhapuram, Kanyakumari District.
- 2.The Inspector of Police,
All Women Police Station,
Marthandam, Kanyakumari District.
Crime No.2/2022
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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