



Crl.O.P.(MD).No.20549 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:15.12.2023

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THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.20549 of 2023

1. Uthamanathan
2. Manimegalai
3. Muthuramalingam
4. Shobana @ Shobanadevi ... Petitioners

Vs.

1. The State Rep by
The Inspector of Police,
All Women Police Station,
Ramanathapuram District.
In Crime No.15 of 2023.

- 2.Kogila ... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records pertaining in Cr.No.15 of 2023 on the file of the 1st Respondent Police,All Women Police Station,Ramanathapuram,Ramanathapuram District and Quash the same as illegal against these Petitioners.

For Petitioners : Mr.A.Banumathy

For R1 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)

For R2 : Mr.E.L.Shalini



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ORDER

This Criminal Original Petition is filed to call for the records pertaining in Cr.No.15 of 2023 on the file of the 1st Respondent Police, All Women Police Station, Ramanathapuram, Ramanathapuram District and quash the same as illegal against these Petitioners.

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.15 of 2023 for the offences punishable under Sections 417, 376 and 506(1) 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 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 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. Eventhough the offence under Section 376 of IPC is alleged, now it is submitted before this Court that marriage is also performed. Due to some delay on the part of the first accused in arranging the marriage, the complaint was given by the defacto complainant. A child was also born to them after registration of the case. Now they are living together. The parents of the first accused are present and ascertained that they will take care of the defacto complainant and the grand daughter.

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 29.11.2023, 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.15 of 2023 pending on the file of the 1st respondent police is quashed and the compromise memo is recorded.



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7. In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.15 of 2023, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

15.12.2023

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

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To

1. The Inspector of Police,
All Women Police Station,
Ramanathapuram District.
In Crime No.15 of 2023.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA,J.

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