



Crl.O.P.(MD).No.21039 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:15.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

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- 1.A.Mohamed Muzzamil
- 2.M.Abdul Karim Samsudeen
- 3.A.Ummusalmaa
- 4.M.Mohaideen Abdul Kader ... Petitioner

Vs.

- 1.The State rep by
The Inspector of Police,
A.W.P.S.Palayamkottai,
Tirunelveli District.
(Crime No.15/2023)
- 2.M.Nasrin Jahan ... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to impugned Charge Sheet in PRC.No.274 of 2023 pending on the file of the Learned Judicial Magistrate No.V, Tirunelveli and quash the same in so far as the Petitioners are concern.



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For Petitioners : Mr.P.Rajesh
For R1 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)
For R2 : S.Meena

ORDER

This Criminal Original Petition is filed to call for the records relating to impugned Charge Sheet in PRC.No.274 of 2023 pending on the file of the Learned Judicial Magistrate No.V, Tirunelveli and quash the same in so far as the Petitioners are concern.

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, 375(a), 376 and 506(i) 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.



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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 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 complaint has been registered under Section 376 of IPC, it is informed to this Court that it is a love affair between the victim girl and the first accused. Marriage arrangements were made by the parents of the first accused with the defacto complainant who is the victim, the father of the victim girl has some objection over the process of arrangements of the marriage. Hence a complaint was given by the second respondent herein and a case was registered. She further submitted that the complaint was given by her at the instigation of her parents. Now she voluntarily left her parental home and came to the house of the first accused and they are living peacefully for the past four months. The parents of the first accused who are the other accused persons, undertook to take care of the victim girl.



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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 27.11.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in PRC.No.274 of 2023 pending on the file of the Learned Judicial Magistrate No.V, Tirunelveli, is quashed and the compromise memo is recorded.

7. In the result, the Criminal Original Petition stands allowed and the entire proceedings in PRC.No.274 of 2023 pending on the file of the Learned Judicial Magistrate No.V, Tirunelveli, 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 Judicial Magistrate No.V, Tirunelveli.
- 2.The Inspector of Police, A.W.P.S.Palayamkottai,
Tirunelveli District. (Crime No.15/2023)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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