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Crl.O.P.(MD)No.21056 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:19.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD) No.21056 of 2023

and

Crl.M.P.(MD) No.16502 of 2023

Sithik Ibrahim

... Petitioner/4th Accused

Vs.

1.The State represented by
The Inspector of Police,
All Women Police Station,
Thiruparankundram,
Madurai.
Crime No.71 of 2014.

...1st Respondent/Complainant

2.H.S.Hajira

...2nd Respondents/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records and quash the proceedings in C.C. No.720 of 2019 on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai, in so far as the petitioner Accused No.4 and grant such other further relieves as this High Court.

For Petitioner : Mr.M.Rajaraman

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



ORDER

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This Criminal Original Petition is filed to call for the records and quash the proceedings in C.C.No.720 of 2019 on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai, in so far as the petitioner Accused No.4 and grant such other further relieves as this High Court.

2. Even though the second respondent served, none appears.

3. The contention of the petitioner is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.71 of 2014 for the offences punishable under Sections 498(A), 406 & 506(i) IPC and Section 4 of Dowry Prohibition Act, 1961, against the petitioner.

4. This petition is filed on the ground that there was compromise between the accused Nos.1 and 3 and the defacto complainant, so the C.C.No.720 of 2019 was quashed in respect of the accused Nos.1 and 3, by the order, dated 06.10.2023. At that time, this petitioner was not a party in that matter. Now, this petition has been filed seeking quashment of C.C.No.720 of 2019.



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5. Since already compromise arrived between the accused Nos.1 and 3 and the defacto complainant, nothing survives for prosecution to continue against this petitioner.

6. Considering the totality of the circumstances, the nature of the allegations levelled against the petitioner and also in view of the compromise reached between the parties, 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.720 of 2019 pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai, is quashed.

7. In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.720 of 2019, pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai, is hereby quashed in respect of the petitioner. Consequently, connected Miscellaneous Petition is closed.

19.12.2023

Index : Yes/No
Internet : Yes/No
Indu



CrI.O.P.(MD)No.21056 of 2023

G.ILANGOVAN. J.

Indu

To

- 1.The learned Judicial Magistrate,
Additional Mahila Court, Madurai.
- 2.The Inspector of Police,
Thiruparankundram All Women Police Station,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.(MD) No.21056 of 2023

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