



Crl.O.P.(MD) No.21861 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.21861 of 2023

1. Abinesh Karthikeyan
2. Dhanasekaran
3. Jeya
4. Asmitha

...Petitioners

Vs.

1. The Inspector of Police
All Women Police Station
Thallakulam, Madurai
2. Dr. Padmaja

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned charge sheet in C.C. No.895 of 2023 on the file of the learned Judicial Magistrate cum Additional Mahila Court, Madurai and quash the same as illegal.



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For Petitioners :Mr.S.R.Sathan Boopathry

For Respondent :Mr.M.Vaikkam Karunanithi for R1
Government Advocate (Crl. Side)
:Mr. A.Gowtham for R2

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C. No.895 of 2023 on the file of the learned Judicial Magistrate cum Additional Mahila Court, Madurai

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.55 of 2022 for the offences punishable under Sections 498(A), 406,294(b), 506(i) and 417 of IPC, against the petitioner.

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 learned counsel for the second respondent / defacto complainant submitted that the defacto complainant has received Demand Drafts for a sum of Rs.35,00,000/- from the petitioners and she has also stated that she will not claim any past, present and future maintenance from the petitioner and she also agreed to withdraw the pending divorce proceedings filed by her before the Family Court, Madurai and also agrees to file divorce petition by mutual consent jointly.

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 Government Advocate(Crl.Side) and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.

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 11.12.2023, this Court is of the opinion that no useful purpose will be



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served by keeping the matter pending. Hence, all further proceedings in C.C. No. 895 of 2023 on the file of the learned Judicial Magistrate cum Additional Mahila Court, Madurai is quashed and the compromise memo is recorded.

7.In the result, the Criminal Original Petitions stand allowed and the entire proceedings in C.C. No.895 of 2023 on the file of the learned Judicial Magistrate cum Additional Mahila Court, Madurai, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

11.12.2023

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

1.The Judicial Magistrate cum Additional Mahila Court, Madurai

2. The Inspector of Police
All Women Police Station
Thallakulam, Madurai

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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G.ILANGOVA. J.

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