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Crl.O.P.(MD)No.22342 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD) No.22342 of 2023

and

Crl.M.P(MD) Nos.17466 and 17467 of 2023

1. Shajin

2. Chellammal

3. Puspha Joy

4. Bright

... Petitioners / Accused Nos.1 to 4
Vs.

1.The Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District.
Crime No.31 of 2020.

... Respondents No.1 /Complainant

3. Vincila

...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in C.C.No.432 of 2023 on the file of the learned Judicial Magistrate No.II, Padmanabhapuram, Kanyakumari District and quash the same as against these Petitioners.

For Petitioners : Mr.Mohamed Hashim.A

For R1 and R2 : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

For R3 : Mr.K.N.Guru



ORDER

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This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.432 of 2023 on the file of the learned Judicial Magistrate No.II, Padmanabhapuram, 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.31 of 2020 for the offences punishable under Sections 406, 498(A) IPC and Section 3(1), 4 of Dowry Prohibition Act, 1961, against the petitioners. It appears that it is a matrimonial issue between the husband and wife and now they are decided to live together.

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 were also identified by the learned Government Advocate (Crl.Side) and



Crl.O.P.(MD)No.22342 of 2023

the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. 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, dated 14.12.2023, 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.432 of 2023 pending on the file of the learned Judicial Magistrate No.II, Padmanabhapuram, Kanyakumari District, is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.432 of 2023, pending on the file of the learned Judicial Magistrate No.II, Padmanabhapuram, 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.

20.12.2023

NCC :Yes/No
Index :Yes/No
Internet :Yes/No
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Crl.O.P.(MD)No.22342 of 2023

G.ILANGOVAN. J.

Indu

To

- 1.The learned Judicial Magistrate No.II,
Padmanabhapuram, Kanyakumari District.
- 2.The Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD) No.22342 of 2023

20.12.2023