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Crl.O.P.(MD)No.22588 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.22588 of 2023

1. Mary Ammachi

2. Xavier

3. Antony @ Joseph Antony

... Petitioners /Accused Nos.
1 to 3

Vs.

1.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
Crime No.66/2019.

... 1st Respondent/Complainant

2. Sahaya Sindhuja

... 2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the case in C.C.No.3 of 2021 on the file of the Additional Mahila Court (Magisterial Level), Nagercoil, and quash the same, as far as the petitioners are concerned.

For Petitioners : Mr.Shaji Chellan.L

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

For R2 : Mr.S.Syed Ali Fathima



ORDER

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This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.3 of 2021 on the file of the Additional Mahila Court (Magisterial Level), Nagercoil.

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.66 of 2019 for the offences punishable under Sections 147, 294(b), 342, 354, 363, 506(ii) and 149 IPC and Section 4 of TNPHW Act, 2002 and Section 4 of TN Prohibition of Charging Exorbitant Interest Act, 2003, 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 were also identified by the learned Government Advocate (Crl.Side) and the Investigation Officer. Both the parties were enquired by me and they



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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 19.12.2023, 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.3 of 2021, pending on the file of the Additional Mahila Court (Magisterial Level), Nagercoil, 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.3 of 2021, pending on the file of the Additional Mahila Court (Magisterial Level), Nagercoil, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

20.12.2023

Index : Yes/No
Internet : Yes/No
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G.ILANGOVAN. J.

Indu

1. The Additional Mahila Court (Magisterial Level), Nagercoil.
2. The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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20.12.2023