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Crl.O.P.(MD)No.22593 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.22593 of 2023

1. Peter @ John Peter

2. Xavier

3. Ammachi @ Mary Ammachi

4. Anitha @ Annal Anitha

... Petitioners /Accused Nos.
1 to 4

Vs.

1. The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
(Crime No.137 of 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.9 of 2022 on the file of the Additional Mahila Court, (Magisterial Level), Nagercoil herein and quash the same.

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.9 of 2022 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.137 of 2019 for the offences punishable under Sections 341, 294(b), 323, 325 & 506(i) IPC and Section 4 of TNPHW Act, 2002, against the petitioners. It appears that it is a money transaction issue between the parties and it is a case and counter case.

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.9 of 2022 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.9 of 2022, 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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To

- 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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G.ILANGOVAN. J.

Indu

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20.12.2023