



Crl.O.P.(MD).No.22835 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.22835 of 2023

M.Lazar

... Petitioner/Sole Accused

Vs.

1.The State rep. by

The Inspector of Police,
Devakattai Town Police Station,
Sivagangai District.
(C.C.No.99 of 2022)

... 1st Respondents/Complainant

2.L.Fenny Jaas

... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records pertaining to the Charge Sheet in C.C.No.99 of 2022 on the file of the Judicial Magistrate Court, Devakottai and quash the same.

For Petitioner : Mr.K.Hemakarhikeyan

For Respondents : Mr.M.Vaikkam Karunanidhi for R1
Government Advocate (Crl. Side)
Mr.V.Panneer Selvam for R2

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.99 of 2022 on the file of the learned Judicial



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Magistrate, Devakottai.

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2.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.424of 2021 for the offences punishable under Sections u/s 294(b), 354A(s), 352, 506(i) of IPC and Section 4 of TNPHW Act, 2002, against the petitioner.

3.The further contention of the petitioner 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 petitioner and the 2nd respondent and also by their respective counsels.

4.The petitioner 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. This is issue between the daughter and father. The defacto complainant is present and stated that on the date



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of occurrence, she came to the house of the petitioner on the event of delivery of her sister. On that occasion, this petitioner alleged to have misbehaved with her in drunken mood. The Compromise Memo is recorded.

5.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioner and also in view of the joint compromise memo, this Court is of the opinion that no useful purpose will be served by keeping the matter pending and inclined to quash all further proceedings in C.C.No.99 of 2022 pending on the file of the learned Judicial Magistrate, Devakottai in respect of the petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.99 of 2022, pending on the file of the learned Judicial Magistrate, Devakottai is hereby quashed in respect of the petitioner alone. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

18.12.2023



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NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

- 1.The Judicial Magistrate, Devakottai.
- 2.The Inspector of Police,
Devakattai Town Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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