



Crl.O.P.(MD)No.3634 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.3634 of 2024

- 1.Durai Marudhavel @ Marudhavel
- 2.Varadharajan (Died)
- 3.Sharalarani ... Petitioners

Vs.

- 1.The Inspector of Police,
All Women Police Station,
Madurai South,
Madurai City.
(Crime No.11 of 2015)
- 2.Saroj Sagana ... Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the entire records pertaining to the case in C.C.No.27 of 2016 pending on the file of the Additional Mahila Court, Madurai and quash the same.

For Petitioner : Mr.S.Balaji

For R1 : Mr.K.Sanjai Gandhi,
Government Advocate (Crl. Side)



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For R2

: M/s.A.S.Rajeshwari

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to call for the records pertaining to the proceedings in C.C.No.27 of 2016 on the file of the Additional Mahila Court, Madurai and quash the same as against the petitioner.

2.The case of the prosecution is that the first petitioner is the husband and the petitioners 2 & 3 are parents in-laws of the second respondent, that at the time of marriage, the parents of the second respondent parted with 85 sovereigns of gold ornaments to the second respondent and 15 sovereigns to the first accused, household articles worth about Rs.5,00,000/- and cash of Rs.5,00,000/-, that after marriage, all the accused harassed the second respondent by demanding additional dowry and hence, the second respondent lodged a complaint before the second respondent.

3.The learned counsel appearing for the petitioners would submit



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that the second respondent has lodged a complaint before the first respondent and on that basis, FIR came to be registered in Crime No.11 of 2015 dated 16.04.2015 and after investigation and filing of the final report, the same was taken cognizance in C.C.No.27 of 2016 on the file of the Additional Mahila Court, Madurai, for the offences under Sections 498(A), 406, 294(b) IPC and Section 4 of the Dowry Prohibition Act against the petitioners. He would further submit that the second petitioner Varadharajan had died.

4.The case is under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

5.A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners 1 & 3 and the second respondent and also by their respective counsels. The petitioners 1 & 3 are present before this Court and they were identified by Mr.V.Kasammal, Women Special Sub Inspector of Police, All Women Police Station, Madurai South, Madurai City and the defacto complainant appeared through video conferencing in the presence of



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Mr.P.Manoj Kumar, Sub Inspector of Police, Pulkeshi Nagar Police Station, Bangalore. The parties were identified by the learned counsels appearing for the parties as well. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6.In the instant case, it is a family dispute and the parties had compromised. Where the parties have compromised the matter, the High Court has power to quash the complaint for the offences under Sections 498(A), 406, 294(b) IPC and Section 4 of the Dowry Prohibition Act.

7.Accordingly, this Criminal Original Petition is allowed and the proceedings in C.C.No.27 of 2016 on the file of the Additional Mahila Court, Madurai, is quashed and the joint compromise memo shall form part and parcel of this order.

20.08.2024

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

- 1.The Additional Mahila Court, Madurai
- 2.The Inspector of Police,
All Women Police Station,
Madurai South,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

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