



Crl.O.P.(MD)No.9167 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.9167 of 2024

1.Ragavendra
2.Dhakshayani
3.Ramamoorthy
4.Tejaswini

... Petitioners

Vs.

1.The Inspector of Police,
All Women Police Station-Fort,
Trichy.

2.Ishwarya

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in charge sheet in C.C.No.1294 of 2022 on the file of the Judicial Magistrate Additional Mahila Court, Trichy and quash the same.

For Petitioners : Mr.N.Ananda Kumar

For R1 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

For R2 : Mr.D.Senthil



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ORDER

This Criminal Original Petition has been filed seeking orders to call for the records pertaining to the proceedings in C.C.No.1294 of 2022 on the file of the learned Judicial Magistrate Additional Mahila Court, Trichy and quash the same as against the petitioner.

2.The case of the prosecution is that the first petitioner and the second respondent are husband and wife and other petitioners are in-laws of the second respondent, that there existed matrimonial disputes between them, due to which, the accused persons harassed her and hence, the second respondent has lodged a complaint.

3.The learned counsel appearing for the petitioners would submit that the second respondent has lodged a complaint before the first respondent and on that basis, FIR came to be registered in Crime No.5 of 2022 and after investigation and filing of the final report, the same was taken cognizance in C.C.No.1294 of 2022 on the file of the Judicial



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Magistrate Additional Mahila Court, Trichy, for the offences under Sections 498(A) and 406 IPC against the petitioners.

4.The learned counsel appearing for the second respondent would submit that the second respondent has already received a sum of Rs.5,00,000/- and today, ie., 21.10.2024, she received a sum of Rs.10,00,000/- from the first petitioner.

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

6.A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsels. The petitioner and the second respondent are present before this Court and and they were identified by Mrs.A.Vasanth, Special Sub Inspector of Police, All Women Police Station-Fort, Trichy as well as by the learned counsels appearing for the parties. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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7. 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) and 406 IPC.

8. The legal position expressed by the Hon'ble Apex Court in the case of ***Gian Singh vs. State of Panjab and another*** reported in ***(2012)10 SCC 303*** and ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath*** reported in ***(2017)9 SCC 641*** were taken into consideration.

9. In the light of the guidelines issued in the above said Judgments of the Hon'ble Apex Court, no useful purpose will be served in keeping the proceedings in C.C.No.1294 of 2022 pending on the file of the Judicial Magistrate Additional Mahila Court, Trichy, even though, the offences involved are not compoundable in nature.

10. Accordingly, this Criminal Original Petition is allowed and the proceedings in C.C.No.1294 of 2022, on the file of the Judicial



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Magistrate Additional Mahila Court, Trichy, is quashed and the joint compromise memo shall form part and parcel of this order.

21.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gns

To

- 1.The Judicial Magistrate Additional Mahila Court,
Trichy.
- 2.The Inspector of Police,
All Women Police Station-Fort,
Trichy.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

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