



Crl.O.P.(MD)No.10876 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.04.2024

CORAM:

**THE HON'BLE MR JUSTICE A.A.NAKKIRAN**

Crl.O.P.(MD)No.10876 of 2022

Satham Hussain @ Raja Mohammad ... Petitioner/Sole Accused

Vs.

- 1.State rep. by  
The Inspector of Police,  
Tirumayam Police Station,  
Pudukottai District.  
(Crime No.9 of 2015) ... 1<sup>st</sup> Respondent/Complainant
- 2.Saranya ... 2<sup>nd</sup> Respondent/Defacto Complainant

**Prayer:**Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the impugned charge sheet in S.C.No.29 of 2021 on the file of the Mahila Court, Pudukottai and quash the same.

For Petitioner : Mr.M.Murugesan  
For R1 : Mr.R.M.Anbunithi  
Government Advocate (Crl.Side)  
For R2 : Mr.S.Sundarapandian



Crl.O.P.(MD)No.10876 of 2022

## **ORDER**

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This petition has been filed to quash the charge sheet in S.C.No.29 of 2021 on the file of the learned Judicial Magistrate, Mahila Court, Pudukottai against the petitioner.

2. The case of the prosecution is that the petitioner and the defacto complainant loved each other from 2011 and on a false promise of getting her married, the petitioner had sexual intercourse with the defacto complainant. When the defacto complainant insisted the petitioner marry her, the same was refused by the petitioner and also threatened her that he would kill her if she compelled the petitioner to marry. Therefore, the defacto complainant attempt to commit suicide. Based on the complaint given by the defacto complainant, a case has been registered in Crime No.9 of 2015 for the offence under Sections 417, 420, 354(A), 376(i), 493, 496, 384, 506(i) of IPC against the petitioner.

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



Crl.O.P.(MD)No.10876 of 2022

WEB COPY

4. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner, second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by the learned Government Advocate (Criminal side). This Court also enquired both the parties and they accepted the terms of compromise and prayed to quash the charge sheet in S.C.No.29 of 2021.

5. 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* is taken into consideration.

6. Considering the totality of the circumstances, the nature of the allegations levelled against the petitioner and also in view of the joint compromise memo, dated 26.03.2024, this Court is of the opinion that no useful purpose will be served by keeping the matter pending.



Crl.O.P.(MD)No.10876 of 2022

7. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.29 of 2021 on the file of the learned Judicial Magistrate, Mahila Court, Pudukottai, is quashed and the Joint Compromise Memo is recorded. The terms of joint compromise memo shall form part and parcel of this order.

**29.04.2024**

NCC : Yes/No  
Internet: Yes/No  
Index : Yes/No  
VSD

To

- 1.The Judicial Magistrate,  
Mahila Court, Pudukottai
- 2.The Inspector of Police,  
Saptur Police Station,  
Madurai,  
Madurai District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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Crl.O.P.(MD)No.10876 of 2022

**A.A.NAKKIRAN, J.,**

VSD

**Crl.O.P.(MD)No.10876 of 2022**

29.04.2024