



CrI.O.P.(MD)No.13358 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 27.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

CrI.O.P.(MD)No.13358 of 2024

1.Salaman Raja Vasanthan @
Salamon Raja Vasanthan

2.Punitha Deva Sundari

: Petitioners/A1 & A2

Vs.

1.State represented by
The Sub-Inspector of Police,
AWPS, Thirumangalam,
Madurai District.
(Crime No.3 of 2020)

2.Ramya Priya Dharshni

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records of the impugned charge sheet in C.C.No.680 of 2022 on the file of the Judicial Magistrate Court, Thirumangalam and quash the same.

For Petitioners : Mr.S.Jeyakarthik

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

For R2 : Mr.M.P.Balaganesh



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ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders, to call for the records of the impugned proceedings in C.C.No.680 of 2022 on the file of the Judicial Magistrate Court, Thirumangalam and quash the same.

2. The case of the prosecution is that the marriage between the first petitioner and the second respondent/defacto complainant was solemnized on 20.12.2015, due to some misunderstanding between them, the petitioners had abused the second respondent in filthy language and also demanded dowry from her and attacked her. Hence, the 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.3 of 2022 and after investigation, filed the final report and the same was taken cognizance in C.C.No.680 of 2022 on the file of the Judicial Magistrate Court, Thirumangalam for the offences under Sections 498(A), 406 and



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506(i) IPC and Section 4 of Dowry Prohibition Act 1961, against the petitioners.

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, dated 12.07.2024, has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsels. The petitioners and the second respondent are present before this Court and and they were identified by Ms.M.Murugeswari, SSI, AWPS, Thirumangalam, Madurai District, 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.

6. In the instant case, the dispute is of personal in nature and the parties had compromised. Where the parties have compromised the matter, the High Court has to power to quash the complaint for the offence under Sections 498(A), 406 and 506(i) IPC and Section 4 of Dowry Prohibition Act 1961.



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7. 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.

8. 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.680 of 2022 as against the petitioner pending before the file of the learned Judicial Magistrate, Thirumangalam, even though, the offences involved are not compoundable in nature.

9. Accordingly, this Criminal Original Petition is allowed and the proceedings in C.C.No.680 of 2022, on the file of the learned Judicial Magistrate, Thirumangalam, is quashed as against the petitioners and the joint compromise memo dated 12.07.2024, shall form part and parcel of this order.

27.08.2024

NCC :Yes / No
Index :Yes / No
Internet :Yes / No
das



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To

- 1.The Judicial Magistrate,
Thirumangalam.
- 2.The Sub-Inspector of Police,
AWPS, Thirumangalam,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

das

Order made in
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