



Crl.O.P.(MD)No.14879 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.(MD)No.14879 of 2023

1.Vinothkumar

2.Devika

... Petitioners/Accused No.1&2

vs.

1. The State rep by
The Inspector of Police,
All Women Police Station,
Thanjavur District.
(In Crime No.20 of 2021)

... 1st Respondent/Complainant

2.Anushiya

...2nd Respondent/Defacto
Complainant

Prayer:- Petition filed under Section 482 of Code of Cr.P.C., to call for the records pertaining to the impugned charge sheet in C.C.No.54 of 2022 on the file of the Additional Mahila Court (Magisterial Level), Thnjavur and quash the same.

For Petitioners : Mr.A.Arun Prasad

For Respondents : Mr.Mrs.M.Aasha,
Government Advocate (Crl.Side) for R1
Mr.S.Prabhu for R2



Crl.O.P.(MD)No.14879 of 2023

ORDER

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This petition is filed to quash the impugned charge sheet in C.C.No.54 of 2022 on the file of the Additional Mahila Court (Magisterial Level), Thnajavur.

2. The offence is under Sections 498(A) of IPC r/w Section 4 of TNPWH Act, and the same is arising out of matrimonial issue.

3. This is the matrimonial offence. Both parties have united and are living together. A copy of the Joint Compromise Memo is also filed. Both the parties are present before this court. The defacto complainant was enquired by this Court, and she submits that she has joined together and both of them are living happily and states that the case need not be proceeded with. A Joint Compromise Memo duly signed by both the parties and also by their respective counsel. Therefore, the Joint Memorandum of Compromise is recorded. The same shall form and part of this order.

4. In view thereof, as per the dictum of the Hon'ble Supreme Court of India in ***B.S.Joshi and ors., Vs. State of Haryana and anr.,***



Crl.O.P.(MD)No.14879 of 2023

reported in (2003) 4 SCC 675 and the subsequent judgments, I am inclined to quash the proceedings in C.C.No.54 of 2022 on the file of the Additional Mahila Court (Magisterial Level), Thnjavur.

5. Accordingly, the proceedings in C.C.No.54 of 2022 pending on the file of the Additional Mahila Court (Magisterial Level), Thnjavur, is quashed and the Criminal Original Petition is allowed.

05.09.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
dss

To

- 1.The Additional Mahila Court (Magisterial Level),
Thnjavur.
2. The Inspector of Police,
All Women Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.14879 of 2023

D.BHARATHA CHAKRAVARTHY, J.

dss

Crl.O.P.(MD)No.14879 of 2023

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