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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2024

CORAM

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

Crl.O.P(MD)No.20561 of 2023

and

Crl.M.P(MD)No.16080 of 2023

1. Murugaperumal

2. Jeyaprakash

3. Prabhakaran

4. Aathilakshmi

5. Aandal

6. Vadivel @ Vadivelu

7. Rajammal

... Petitioners

Vs

1. The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District. Crime No. 126/2023.

2. Saranya

... Respondents

PRAYER: Criminal Original petitions have been filed under Sections 439 (1) (b) of the Code of Criminal Procedure, to call for the records pertaining to the impugned FIR in Crime No. 126/2023 u/s 147, 148, 294(b), 323,



506(1) of IPC r/w section 4 of Tamilnadu Prohibition of Harassment of Women Act 2002 on the file of the 1st respondent police dated 11.03.2023.

For Petitioner : Mr.D.Balamuruga Pandi,
For R1 : Mr.A.Albert James
Government Advocate (Crl.Side)
For R2 : Ms.Saranya
(Party in Person)

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No. 126 of 2023, dated 11.03.2023, on the file of the 1st respondent police.

2.Taking into consideration the nature of dispute involved in this case, the matter was referred to the mediation centre. Before the mediation centre, a settlement agreement was arrived at between the parties. The relevant portions are extracted hereunder:

"6.The following settlement has been arrived at between the parties hereto:

A.Both parties are present before mediation with their Counsels.

B. The petitioner/Husband In Crl.O.P. (MD) No.20561 of 2023 and respondent/wife are decided to reunion and leading a matrimonial life happily.

C. The respondent/wife In Crl.O.P.(MD).No. 20561 of 2023 has no objection to quash the entire proceedings of the case in Crime No.126 of 2023 U/s. 147, 148, 294(B), 323,



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506(1) of IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002, against her husband and her in laws who is the other accused in this case, which is subject matter of the CrI.O.P. (MD). No. 20561 of 2023,

D. The petitioner/Husband agreed to compromise the case In Crime No.108 of 2023 U/s. 294(B), 342, 323, 506(1) of IPC against his wife and her family members.

E The respondent/wife agreed to appear case in H.M.O.P.No.93 of 2023, before the Sub-Court, Thirumangalam, and inform to the court of her willingness to reunion with husband on the next hearing.

7. By signing this Agreement the parties hereto state that they have no further claims or demands against each other with respect to CrI.O.P. (MD).No. 20561 of 2023 (Case No) and all disputes and differences in this regard have been amicably settled by the Parties hereto through the process of conciliation/Mediation."

3. When the matter was taken up for hearing today, the defacto complainant and A1 were also present before this Court along with the child. The defacto complainant stated that the matter has been amicably settled. In order to identify the respective parties they have also produced the copies of the Aadhaar Card are made part of the record. The petitioners and the 2nd respondent were also present in person before this Court and they were identified by Mr.P.Thangam, Special Sub Inspector of Police, Thirumangalam Police Station.



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4. Under such circumstances, no useful purpose will be served in keeping the case pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **(2017) 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)** and after exercising due caution as advised by the Hon'ble Supreme Court in **The State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C, quash the FIR in Crime No.126 of 2023, pending on the file of first respondent.

5.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.126 of 2023, pending on the file of first respondent is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Consequently, the connected miscellaneous petition is closed.

20.12.2024

Internet :Yes
Index :Yes/No
NCC :Yes/No
LR



WEB COPY To

1. The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.ANAND VENKATESH, J.

LR

Crl.O.P(MD)No.20561 of 2023

20.12.2024