

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 20.01.2015****CORAM****THE HONOURABLE MR.JUSTICE C.T.SELVAM****Cr1.O.P. (MD)No.22748 of 2014**

WEB COPY

Senthurvel

... Petitioner /A2

-Vs-

1.The Sub-Inspector of Police,
Keelavalavu Police Station,
Madurai District

... 1st Respondent / Complainant

2.Mutthu

... 2nd Respondent / Defacto
Complainant

PRAYER: Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of the criminal case in Crime No.111 of 2014 pending investigation on the file of the 2nd respondent and quash the same with regard to the petitioner / A2.

For petitioner

: Mr.M.Suriya Bagavandas

For Respondent-1

: Mr.K.Anbarasan

Government Advocate (Cr1. Side)

ORDER

This petition has been filed praying to quash the proceedings in Crime No.111 of 2014, pending investigation on the file of the 2nd respondent with regard to the petitioner / A2.

2. On a complaint given by the 2nd respondent / defacto complainant, the 1st respondent has registered a case in Crime No.111 of 2014 against the petitioner/2nd Accused and 1st accused, who is not a party herein, for the offences under Sections 294(b), 323 and 506(ii) of IPC., and Section 4 of Women Harassment Act.

3. The 2nd respondent / defacto complainant as well as the petitioner/accused-2 are present before this Court and they are identified by the respective learned counsels and both the parties have filed a compromise memo stating that the matter in issue between them has been amicably resolved and therefore, the 2nd respondent / defacto complainant is not willing to prosecute the case.

4. The 2nd respondent / defacto complainant would further submit that she is not willing to prosecute case against the first accused also, who is not a party before this Court.

5. The Court has also heard the learned counsel appearing on either side and perused the materials available on record.

<https://hcservices.ecourts.gov.in/hcservices/>

6. In the light of the said compromise memo, no purpose will be served by keeping the Criminal Original Petition pending.



7. In the result, the Criminal Original Petition is allowed and the proceedings in Crime No.111 of 2014, on the file of the Sub-Inspector of Police, Keelavalavu Police Station, Madurai District, is hereby quashed in respect of petitioner/A2 and also as against the first accused, who is not a party before this court, since the defacto complainant is not willing prosecute the proceedings against the first accused also. The memo of compromise shall form part of the records.

Sd/-

Assistant Registrar(T&P)

/True copy/

sub Assistant Registrar

MPK

To

1.The Sub-Inspector of Police,
Keelavalavu Police Station, Madurai District
(Encl:a copy of compromise memo)

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai. **(Encl:a copy of compromise memo)**

COPY TO:

**THE RECORD KEEPER, E.R.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
(For complying the direction given
to keep memo as form part of the records)**

+1cc to Mr. Suriya Bagawandas, Advocate SR NO.2923

Crl.O.P. (MD) No.22748 of 2014
20.01.2015

rg.12.02.2015

2p/5c