

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2016

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

CrI.O.P.No.10066 of 2014

and

M.P.No.1 of 2014

1.Rajam

2.K.A.Thirupathiraja

3.K.T.Srinivasan ... Petitioners

vs.

State Rep. by:-

1.Inspector of Police,
Attur Police Station,
Attur, Salem District.

2.Rani ... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records in S.C.No.143 of 2013 on the file of the Principal Sessions Judge, Salem and quash the further proceedings.

For Petitioner : Mr.V.Gopinath
Senior Counsel
for M/s.L.Mahendran

For Respondent : Mr.C.Emalias
Addl. Public Prosecutor for R1

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O R D E R

This petition has been filed to call for the records in S.C.No.143 of 2013 on the file of the Principal Sessions Judge, Salem and quash the further proceedings.

2.The case of the petitioners is that the first petitioner is the wife of the second petitioner and the third petitioner is their son. The complaint given by the second respondent / de facto complainant, who belongs to scheduled caste community,

alleging that the petitioners abused her in filthy language when she demanded the amount due to her, after investigation, was taken on file as P.R.C.No.7 of 2013 and on committal, it is stated to be pending in S.C.No.143 of 2013.

3. Pending trial in the said case, the petitioners and the second respondent have amicably settled the issue and seek to quash the proceedings by recording the Joint Compromise Memo dated 23.12.2016. The relevant portion in the Joint Compromise Memo reads as under:

'3) Pursuant to the advice of elders and well wishers of the either side, the Petitioners herein and the Second Respondent herein have set their hands for amicably (sic) settlement and on that basis, the 1st Petitioner herein and the Second Respondent has executed a affidavit in front of a notary public on 20.07.2016 expressing mutually agreeing to settle the issue amicably and also agreeing to terminate the proceedings with leave of this Hon'ble court, instituted by the Second Respondent herein and not to proceed with the case by allowing the petitioner to quash the proceedings on the basis of this joint compromise memo in order to put quietus and purchase peace on either side.'

4. Learned Additional Public Prosecutor objects to the memo of compromise being placed before the Court. His objection is recorded.

5. In view of the Joint Compromise Memo filed, the Criminal Original Petition is allowed and the proceedings pending in S.C.No.143 of 2012 on the file of Principal Sessions Judge, Salem, Salem District, stands quashed. The Joint Compromise Memo dated 23.12.2016 filed by the parties is taken on record. Consequently, connected Miscellaneous Petition is closed.

सत्यमेव जयते Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

sra

To

1. The Principal Sessions Judge, Salem

2. The Inspector of Police,
Attur Police Station,
Attur, Salem District.

3.The Public Prosecutor,
High Court of Madras,
Chennai - 600 104.

+2ccs to Mr.L.Mahendran, Advocate sr.76448

CRL.O.P. NO.10066 of 2014

gj (co)
ss(24/01/2017)



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