

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2016

CORAM

THE HONOURABLE MS.JUSTICE R. MALA

CRL.O.P.No.25939 of 2014

and

M.P.No.1 of 2014

1. R.Ilavarasan
 2. R.Chandrakantham
 3. Malathy
 4. R.Maran @ Kubendran
 5. R.Kumar @ Rajkumar
 6. K.Muthulakshmi
- .. Petitioners/Accused

.. Vs ..

1. State rep. by its,
Inspector of Police,
All Women Police Station,
Mayiladuthurai,
Nagapattinam District. ... 1st Respondent/Complainant
2. Sudha ... 2nd Respondent/De facto complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records relating to C.C.No.217/2013 on the file of the learned Judicial Magistrate No.I, Mayiladuthurai, and quash the same as null and void.

For Petitioners: Mr.A.Selvendran
For R-1 : Mr.C.Emalias,
Additional Public Prosecutor
For R-2 : Mr.A.Mohamed Ismail

ORDER

This petition has been filed by the petitioners seeking to quash the proceedings in C.C.No.217/2013 pending on the file of the learned Judicial Magistrate No.I, Mayiladuthurai.

2. Heard the learned counsel appearing for the petitioners as well as the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent.

3. It is seen that the alleged offence attributed against the petitioners is under Sections 498(A) and 506(ii) of IPC and Sections 4 and 6 of Dowry Prohibition Act. When the matter is taken up for hearing, the first petitioner viz., R.Ilavarasan and the second respondent viz., Sudha, appeared in person and their identification is also verified by this Court. Now, both the first petitioner and the second respondent have filed a memo of compromise stating that at the intervention of elders, they joined together and they have mutually agreed to withdraw all the proceedings i.e., in Crl.O.P.No.25939 of 2014, M.C.No.68 of 2013, Crl.O.P.No.24799 of 2014 and H.M.O.P.No.37 of 2013. Hence, there is no necessity to pursue the matter further.

4. Considering the nature of allegation and also considering the memo of compromise, this Court is of the opinion that no useful purpose would be served by keeping the matter pending. Therefore, the entire proceedings in C.C.No.217/2013 pending on the file of the learned Judicial Magistrate No.I, Mayiladuthurai, is, hereby, quashed and this Criminal Original Petition is allowed accordingly. The Memo of Compromise shall form part of the order of this Court. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate No.I,
Mayiladuthurai.

2. The Inspector of Police,
All Women Police Station,
Mayiladuthurai,
Nagapattinam District.

3. The Public Prosecutor,
High Court, Madras.

+2cc to Mr.A.Selvendran, Advocate Sr.20652

+1cc to Mr.A.Muhamed Ismail, Advocate Sr.20391

CRL.O.P.No.25939 of 2014

sr(CO)
srg(25/04/2016)