

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.20227 of 2016

and

Crl.M.P.No.9472 of 2016

1.Arumugam
2.Jagathambal

.... Petitioners

Vs.

The State Government of Tamil Nadu
rep. by The Inspector of Police
All Women Police Station,
Sethiyathope.

.... Respondent

Prayer:Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records pertaining to the case in C.C.No.14 of 2011 on the file of the District Munsif cum Judicial Magistrate, Kattumannarkoil, Cuddalore District and quash the same.

For Petitioners : Mr.G.Pugazhenth
For Respondent : Mr.C.Emalias, APP

O R D E R

This Criminal Original Petition has been filed to call for the records pertaining to the case in C.C.No.14 of 2011 on the file of the District Munsif cum Judicial Magistrate Court, Kattumannarkoil, Cuddalore District and quash the same.

2. Heard Mr.G.Pugazhenth, learned counsel appearing for the petitioners and Mr.C.Emalias, learned Additional Public Prosecutor, appearing on behalf of the respondent.

3. For the sake of convenience, the parties are referred to by their name.

4. It is seen that Sasikala got married to Arumugam on

24.05.2002 and their marriage ran into rough weather resulting in Sasikala lodging a complaint with the respondent-Police based on which a case was filed in Crime No.11 of 2010 was registered and after completing the investigation, the respondent-Police have filed a final report in C.C.No.14 of 2011 before the District Munsif cum Judicial Magistrate Court, Kattumannarkoil, Cuddalore District for the offences under Section 498-A IPC and Section 4 of the Dowry Prohibition Act against Arumugam and Jagathambal, challenging which, the accused are before this Court on the ground that they have arrived at a compromise.

5.Today, Arumugam and Sasikala are present. The parties are identified by advocate Mr.G.Pugazhenthil (Enrolment No.1075/93). Apart from the compromise memo, Sasikala has filed an affidavit, which reads as follows:

"4.I submit that after completion of investigation, the Respondent Police laid a charge sheet as against the 1st and 2nd petitioners alone and deleted 2 other accused for which a deletion report was filed for an offence under section 498(A) IPC and section 4 of DP Act before the District Munsif cum Judicial Magistrate, Kattumannarkoil, Cuddalore District and the same was taken on file in C.C.No.14 of 2011. Then trial was commenced and 6 witnesses were examined on the side of the prosecution.

5.I submit that the pending trial compromise talks were held and settled out of the court and in order to resolve our disputes compromise was arrived. Therefore, the Petitioners beg to present the accompanying quash Petition jointly to quash the above charge sheet in C.C.No.14 of 2011 on the ground of compromise arrived at between myself and my husband."

6.In view of the above, this Criminal Original Petition is allowed and the prosecution as against all the accused in C.C.No.14 of 2011 is hereby quashed.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

rm

To

1.The Inspector of Police
All Women Police Station,
Dharmapuri District.

2 The District Munsif cum
Judicial Magistrate, Kattumannarkoil, Cuddalore District

3.The Public Prosecutor,
High Court, Madras.

+4 CC to Mr.G. Pugazhenth, Advocate Sr.No.53339

CrI.O.P.No.20227 of 2016

LRS (CO)
MD : 19/10/2016



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