

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.20529 of 2016

and MP.No.9504 of 2016

&

MP.No.9504 of 2016

Hemachandra Kumar ...Petitioner

Vs

1.State represented by
The Sub-Inspector of Police,
District Crime Branch,
Villupuram.

2.Valarmathi ... Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the Records of Criminal Proceedings in C.C.No.152 of 2015 pending on the file of learned Judicial Magistrate-I, Thindivanam and quash the same based on the compromise Agreement dated 24.08.2016 arrived at between the Petitioner and the Defacto Complainant herein and his family members.

For Petitioner : Mr.I.Subramanian, Senior Counsel
for Mr.S.Elambharathi

For Respondents : Mr.C.Emalias
Additional Public Prosecutor for R1

ORDER

This petition has been filed to call for the Records of Criminal Proceedings in C.C.No.152 of 2015 pending on the file of learned Judicial Magistrate-I, Thindivanam and quash the same based on the compromise.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. On the complaint lodged by Valarmathi, the respondent police registered a case in Cr.No.40 of 2013 and after completing the investigation, has filed a Final Report in C.C. 152 of 2014 before the learned Judicial Magistrate No.1 Tindivanam, for offences u/s.294 (b), 506(ii) IPC and Section 4 of Harrasement of Women Act, and Section 66 & 67 of the Information Technology Act against Hemachandra kumar for quashing which this petition has been filed, on the ground that both the parties have arrived at a compromise.

4. Today Mr.A.Pragalathan, Spl. Sub Inspector of Police, Villupuram is present. The parties have been identified by him.

5. It is seen that the parties have entered into a joint memo of compromise dated 24.08.2016, under which they have agreed to have the prosecution in C.C.No.152 of 2014 quashed.

6. The original joint memorandum of compromise dated 24.08.2016 has been filed in Crl.O.P.No.20527 of 2016 and a photocopy of the same is filed in this petition. In terms of aforesaid agreement, Hemachandra kumar had agreed to pay a sum of Rs.8 lakhs to Srividhya, daughter of Valarmathi and that a sum of Rs.5 lakhs has already been paid and the balance amount of Rs.3 lakhs had been paid today by way of Demand Draft dated 07.09.2016 bearing no:927949.

7. In the light of the above, this petition is allowed and the proceedings in C.C.No.152 of 2014 on the file of the Judicial Magistrate No.I, Tindivanam is hereby quashed. Connected Miscellaneous Petition is also closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

dpq

To

1.The Judicial Magistrate-I,
Tindivanam

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2.Do-Thro The Chief Judicial Magistrate
Tindivanam

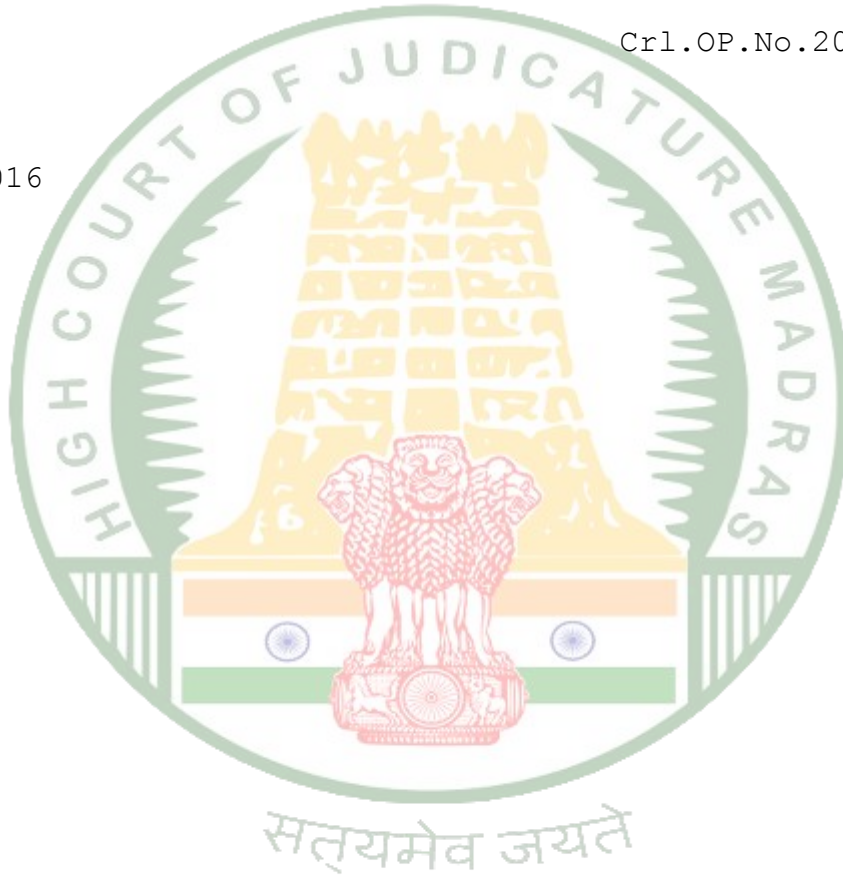
3.The Sub Inspector of Police,District Crime Branch
Villupuram.

4.The Public Prosecutor,
High Court, Chennai.

+1 cc to Mr.S.Elambharathi Advocate sr 51363

Cr1.OP.No.20529 of 2016

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