



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.10.2016

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P. (MD) No.19158 of 2016

WEB COPY

Muralidharan

... Petitioner/Accused

Vs

1. The State represented by
The Sub Inspector of Police,
South Thamaraikulam Police Station,
Kanyakumari District.
(Crime No.97 of 2013)

... 1st Respondent/Complainant

2. Pabitha

... 2nd Respondent/Defacto
Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records relating to the proceedings in C.C.No.136 of 2013 on the file of the Judicial Magistrate No.III, Nagercoil, Kanyakumari District and quash the same.

For Petitioner : Mr.K.P.Narayanakumar

For Respondents : Mr.K.Anbarasan
Government Advocate (Crl.Side)
for R1

O R D E R

This petition has been filed to call for the records relating to Charge Sheet in C.C.No.136 of 2013 on the file of the learned Judicial Magistrate No.III, Nagercoil, Kanyakumari District and quash the same.

2. Heard the learned Counsel for the petitioner, the learned Government Advocate (Crl.Side) appearing for the first respondent.

3. Based on the complaint given by the second respondent/defacto complainant, a case has been registered against the petitioner in Crime No.97 of 2013 for the offences under Sections 294(b), 323, 324 and 506(i) IPC., r/w Section 4 of the Women Harassment Act, on the file of the first respondent and the same was taken on file as C.C.No.136 of 2013 on the file of the learned Judicial Magistrate No.III, Nagercoil, Kanyakumari District.



4. When the matter was called in the morning, both the petitioner as well as the second respondent appeared in person and their identifications were also verified by this Court, in addition to the confirmation of the identity of the parties by the learned Government Advocate (Crl. Side) through the respondent police and they categorically made a statement that the dispute between them have been settled amicably. They also filed a memo of compromise dated 30.09.2016 duly signed by both parties and counter signed by their respective Counsel. They would also further submit that they are willing to donate Rs.10,000/- to Harijan Sevak Sangh.

5. In view of the above, this Court permitted the petitioner to pay Rs.10,000/- to Tamil Nadu Harijan Sevak Sangh, N.M.R.Subbaraman Memorial Residential Primary School Campus, 12, Dr.Thangaraj Road, Vinayaga Nagar, Opposite to Madurai Law College, Madurai -20 and the appearance of the parties is dispensed with.

6. When the matter is called in the afternoon, the payment receipt has been filed. In view of the statements made by the parties and the compromise memo filed by them, no fruitful purpose will be achieved to proceed further in this matter.

7. In view of the above, the Criminal Original Petition is allowed and the entire proceedings in Crime No.97 of 2013 for the offences under Sections 294(b), 323, 324 and 506(i) IPC., r/w Section 4 of the Women Harassment Act, on the file of the first respondent and the consequential proceedings in C.C.No.136 of 2013 on the file of the learned Judicial Magistrate No.III, Nagercoil, Kanyakumari District, is quashed.

Sd/

Assistant Registrar(Crl.Side)

(*) COMPROMISE MEMO HEREWITH ATTACHED

/TRUE COPY/

Sub Assistant Registrar

To

1.Judicial Magistrate No.III, Nagercoil, Kanyakumari District.

2.The Sub Inspector of Police,

South Thamaraikulam Police Station, Kanyakumari District.

3.The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.K.P.Narayanakumar, Advocate in SR.No.61321.

Copy to:

Tamilnadu Harijan Sevak Sangh, N.M.R.Subbaraman Memorial Residential Primary School Campus, 12, Dr.Thangaraj Road, Vinayaga Nagar, Opposite to Madurai Law College, Madurai-20.

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