



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR

Cr1.O.P.(MD) No. 19034 of 2014andCr1.M.P.(MD) Nos.1 and 2 of 2014

1.Chinnakaruppan

2.Kalai

3.Chinnakaruppi

4.Adaikkan

5.Valli

...Petitioners/Accused Nos.1 to 5

-Vs-

1.1.State Through the Inspector of Police,

All Women Police Station,

Melur

(Crime No.8 of 2008)

...1st Respondent/Complainant.

2.Valarmathi

...2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records from the lower Court to quash all the further proceedings in C.C.No.339 of 2009 pending on the file of the Judicial Magistrate Melur, Madurai District.

For Petitioners :Mr.T.K.Gopalan

For R1 :Mr.A.Ramar

Additional Public Prosecutor

For R2 :Mr.P.Arimaran

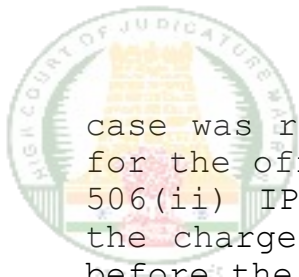
ORDER

The Criminal Original Petition has been filed to call for the records from the lower Court to quash all the further proceedings in C.C.No.339 of 2009 pending on the file of the Judicial Magistrate Melur, Madurai District.

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

<https://hcservices.ecourts.gov.in/hcservices/>

3.The petitioners are accused No. 1 to 5 in C.C.No.339 of 2009. Based on the complaint lodged by the second respondent herein, a



case was registered in Crime No.8 of 2008, by the respondent police for the offences punishable under Sections 498(A), 406, 312, 511 and 506(ii) IPC r/w Section 4 of Dowry Prohibition Act. After filing the charge sheet, the case was taken on file in C.C.No.339 of 2009 before the learned Judicial Magistrate, Melur, Madurai District.

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4.It appears that the petitioners and the second respondent, namely, the de-facto complainant have settled their dispute amicably out of Court and they have also entered into a compromise, on the advise of elders and their relatives in the village, they have also stated that they acted upon the compromise. A Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, is also filed before this Court. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent, has agreed to compromise the matter and no objection for quashing the entire proceedings in C.C.No.339 of 2009 pending on the file of the learned Judicial Magistrate, Melur, Madurai District.

5.The parties appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own free will and volition. The identity of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identity of the parties are also confirmed by the learned Additional Public Prosecutor through the first respondent police.

6.Having regard to the specific terms of the Joint Compromise Memo, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence the criminal proceedings in C.C.No.339 of 2009, on the file of the learned Judicial Magistrate, Melur, Madurai District, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

7.Accordingly, the Criminal Original petition is allowed. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar.

Herewith enclosed the xerox copy of Joint Compromise Memo

To

- 1.The Inspector of Police, All Women Police Station, Melur
- 2.The Judicial Magistrate Court, Melur, Madurai District.
- 3 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.

CrI.O.P.(MD) No. 19034 of 2014