



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2017

CORAM

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

Cr1.O.P.(MD) No.10392 of 2017

1.R.Praveen Kumar
2.P.Ravindran
3.Girija
4.Dhanya
5.Nishanth
6.Arumugam @ Appudu

... Petitioners/Accused Nos.1 to 6

-Vs-

1. The Inspector of Police,
All Women Police Station,
Srirangam, Trichy District.
(In Crime No.15 of 2016)

... Respondent/Complainant

2. P.K. Nalinishree

... Respondent/Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records pertaining to C.C.No.31 of 2017 on the file of Judicial Magistrate Court (Additional Mahila Court), Thiruchirappalli.

For Petitioner	:	Mr.L. Shaji Chellan
For R-1	:	Mr.K.Anbarasan, Government Advocate(Cr1.side).
For R-2	:	Mr.P. Ganapathi Subramaniyan

O R D E R

This Criminal Original petition is filed to call for the records pertaining to C.C.No.31 of 2017 on the file of the Judicial Magistrate Court (Additional Mahila Court), Thiruchirappalli.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Criminal side) appearing for the first respondent and the learned counsel appearing for the second respondent.

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

3. On the basis of complaint given by the second respondent,



against the petitioners / accused nos.1 to 6, a case was registered in Crime No.15 of 2016 on the file of the first respondent for the offences under Sections 294(b), 498(A) and 406 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. After the registration of First Information Report, the first respondent has proceeded to file final report, by arraying the petitioners herein as accused nos. 1 to 6 in C.C.No.31 of 2017 on the file of the learned Judicial Magistrate (Additional Mahila Court), Thiruchirappalli.

4. The first petitioner is the husband of the second respondent and other petitioners are in-laws and the 6th respondent is the family friend of the first petitioner. From the reading of the complaint, it is seen that it is a matrimonial dispute.

5. It appears that at the advise of the elders and friends, the petitioners and second respondent have agreed to compromise the matter out of Court. This petition is also filed along with joint compromise memo signed by the petitioners as well as second respondent in the presence of their respective counsels. As per the Joint Compromise Memo, dated 02.08.2017, it is stated that the parties have settled their dispute and upon payment of Rs.7,00,000/- to the second respondent, the second respondent had agreed not to proceed with the case filed by her in D.V.O.P.No.69 of 2016 and the proceedings in M.C.No.97 of 2016, before the Family Court, Thiruchirappalli and the second respondent has also stated that she has no objection to quash the proceedings in C.C.No.31 of 2017 on the file of the learned Judicial Magistrate Court (Additional Mahila Court), Thiruchirappalli. The petitioners as well as the second respondent has also signed the Joint Compromise Memo dated 07.08.2017, where the second respondent has acknowledged the receipt of a sum of Rs.7,00,000/- as agreed in terms of the joint compromise memo dated 02.08.2017. This payment of Rs.7,00,000/- by cheques is also recorded.

6. The parties appeared before this Court and expressed in unequivocal terms that they have signed in the Joint Compromise Memo on their own will and volition. The identities of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identities of the parties are also confirmed by the learned Government Advocate(Criminal side) through the first respondent police.

7. Having regard to the agreement made between the parties, this Court is of the view that no useful purpose will be served by keeping this matter pending. As per the Compromise Memo signed by the parties, the defacto complainant, namely, the second respondent has agreed to quash the proceedings against the petitioners. Hence the criminal proceedings culminating in C.C.No.31 of 2017 on the file of the Judicial Magistrate Court (Additional Mahila Court), Thiruchirappalli, is quashed in toto and the joint memo of compromise submitted by the parties concerned, dated 07.08.2017



signed by the parties shall form part of the order.

8. Accordingly, the Criminal Original petition is allowed.

WEB COPY

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To

1. The Judicial Magistrate (Additional Mahila Court),
Tiruchirappalli.
2. The Chief Judicial Magistrate,
Tiruchirappalli.
3. The Inspector of Police,
All Women Police Station,
Srirangam, Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO M/s.L.SHAJI CHELLAN, ADVOCATE IN SR No. 70822

TRP

TE/KP/SAR-IV : 29/08/2017 : 3P/6C

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07.08.2017