



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP.(MD)No.10460 of 2017

A.Senthilkumar

... Petitioner/Sole Accused

Vs.

1. The Inspector of Police,
Koodalpudur Police Station
Madurai City.

... Complainant/ Ist Respondent

2. S.Amutha

... 2nd Respondent/De-facto
Complainant

PRAYER: This Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying this Court to call for the records pertaining to the impugned charge sheet in S.C.No.123 of 2017 on the file of the District and Sessions Mahila Court, Madurai and quash the same as illegal.

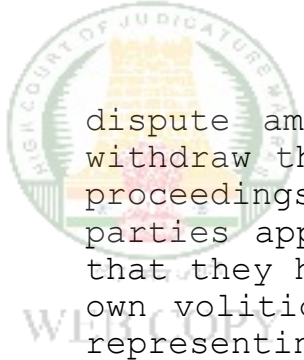
For Petitioner	: M/s.S.Loganathan
For Respondent-1	: Mr.K.Anbarasan
	Govt. Advocate (Crl.Side)
For Respondent-2	: M/s.P.Marthandan

ORDER

This Criminal Original Petition has been filed to quash charge-sheet in S.C.No.123 of 2017, on the file of the District and Sessions Mahila Court, Madurai.

2.Heard the submissions of Mr.S.Loganathan, learned counsel for the Petitioner and Mr.K.Anbarasan, learned Government Advocate (Crl.side) appearing for the first respondent/State and Mr.P.Marthandan, learned counsel appearing for the second respondent and perused the materials placed before this Court including the joint compromise memo filed by both the parties.

3.On the basis of the complaint received from the second respondent/de-facto complainant, a case was registered in Cr.No.275 of 2015, for the offence under Section 342,307 IPC and Section 4 of TNWH Act. Subsequently, a charge-sheet was filed and the case was taken on file in S.C.No.123 of 2017, on the file of District Sessions and Mahila Court, Madurai for the same offence. Subsequent to the filing of the charge-sheet, it appears that the Petitioner and the second respondent/de-facto complainant have settled their



dispute amicably out of Court. The second respondent agreed to withdraw the complaint and expressed her no objection to quash the proceedings. They have also united for a peaceful living. Today, the parties appear before this Court and expressed in unequivocal terms that they have entered into a compromise memo on their free will and own volition. In the compromise memo, dated 4.8.2017, the counsels representing the de-facto complainant as well as the petitioner have signed. The identity of the parties are verified with reference to the authenticated documents produced before this Court by the parties concerned. The identity of the parties are also confirmed by the learned Government Advocate (Crl.Side) through the first respondent/Police.

4. Having regard to the terms of joint compromise memo, this Court is of the view that no useful or fruitful purpose will be served in keeping this petition pending. Hence, in the circumstances stated above, this Court is inclined to quash the charge-sheet registered against the Petitioner on the basis of the Joint Compromise Memo, dated 4.8.2017, filed by both the parties.

5. Accordingly, this Criminal Original Petition is allowed and the charge-sheet in S.C.No.123 of 2017, on the file of the District and Sessions Mahila Court, Madurai is quashed. The Joint compromise memo, dated 4.8.2017 shall form part and parcel of this order.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To

1. The Presiding Judge,
District and Sessions Mahila Court,
Madurai.
2. The Inspector of Police,
Koodalpudur Police Station
Madurai City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.S.LOGANATHAN, ADVOCATE IN SR No. 72239

VSN

TE/JC/SAR-I : 21/08/2017 : 2P/5C

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

ORDER MADE IN
CRL.OP. (MD) No.10460 of 2017
09.08.2017