



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.11355 of 2017

1.Arunkumar,
2.Palpandi Murugesan,
3.Gnanamani,
4.P.Mathankumar,
5.Vijayasri

... Petitioners/Accused No.1 to 5

-Vs-

1. The State represented by,
The Inspector of Police,
All Women Police Station,
Sathur, Virudhunagar District,
(In Crime No.14 of 2016)

...1st Respondent/Complainant

2. Ilavarasi

... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in C.C.No.4 of 2017 on the file of the learned Judicial Magistrate No.1, Sathur, Virudhunagar District and quash the same.

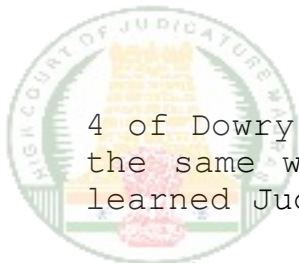
For Petitioners : Mr.M.Michael Bharathi
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.side).
For R-2 : Mr.S.Rajesh

ORDER

This Criminal Original petition has been filed to call for the records in C.C.No.4 of 2017 on the file of the learned Judicial Magistrate No.1, Sathur, Virudhunagar District and quash the same.

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.

3.On the basis of complaint given by the second respondent, against the petitioners, a case was registered in Crime No.14 of 2016 on the file of the first respondent for the offences punishable under Sections 498, 406 and 506(i) of I.P.C. and under Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section



4 of Dowry Prohibition Act, 1961. After registration of charge sheet the same was taken on file in C.C.No.4 of 2017 on the file of the learned Judicial Magistrate No.1, Satthur.

4. It appears that at the advise of the elders and friends, the petitioners and the second respondent have agreed to compromise the matter out of Court. A Joint Compromise Memo, dated 24.08.2017, is also filed. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has given his consent to quash the entire proceedings in C.C.No.4 of 2017 in favour of the petitioners.

5. 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.

6. 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 de-facto complainant, namely, the second respondent has agreed to quash the proceedings against the petitioners. Hence the criminal proceedings in C.C.No. of 2017 on the file of the learned Judicial Magistrate No.1, Satthur. 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.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To

1. The Inspector of Police,
All Women Police Station,
Sathur, Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.V.SASIKUMAR, ADVOCATE IN SR No. 74821