



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2017

CORAM

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.11763 of 2017

1.R.Selvaraj
2.R.Selvi
3.Rengasamy
4.Meena
5.Pandeeswari
6.Kumar

... Petitioners/Accused No.1 to 6

-Vs-

1. The State represented by,
The Inspector of Police,
All Women Police Station,
Srivilliputhur,
Virudhunagar District.
(In Crime No.34 of 2013)

... 1st Respondent/Complainant

2. Rajeshwari

... 2nd Respondent/De-facto
Complainant

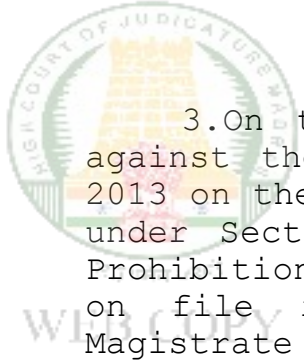
Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the proceedings in C.C.No.135 of 2014 on the file of the learned Judicial Magistrate No.2, Srivilliputhur, Virudhunagar District and quash the same.

For Petitioners	: Mr.M.Jegadeesh Pandian
For R-1	: Mr.K.Anbarasan, Government Advocate(Crl.side).
For R-2	: Mr.M.Karunanidhi

O R D E R

This Criminal Original petition has been filed to quash the records pertaining to the proceedings in C.C.No.135 of 2014 on the file of the learned Judicial Magistrate No.2, Srivilliputhur, Virudhunagar District.

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.34 of 2013 on the file of the first respondent for the offences punishable under Sections 498(A) and 323 of I.P.C. and Section 4 of Dowry Prohibition Act and a charge sheet was filed and the same was taken on file in C.C.No.135 of 2014, before the learned Judicial Magistrate No.2, Srivilliputhoor, Virudhunagar District. The petitioners have earlier filed a petition before this Court in CrI.O.P(MD)No.4668 of 2015, to quash the proceedings in C.C.No.135 of 2014, on the file of the learned Judicial Magistrate No.2, Srivilliputhoor and the said petition was dismissed on merits, by order dated 22.09.2015.

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 11.08.2017, signed by the both parties, in the presence of their respective counsels, is also produced before this Court. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has given her consent to quash the entire proceedings in C.C.No.135/2014 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 compromise arrived at 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.135 of 2014 on the file of the learned Judicial Magistrate No.2, Srivilliputhur, Virudhunagar 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.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar



Encl.: Xerox copy of Compromise Memo

To சென்னை உரிமை

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1. The Judicial Magistrate No.2,
Srivilliputhur,
Virudhunagar District.
2. The Inspector of Police,
All Women Police Station,
Sriviliputhur,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.M.JEGADEESH PANDIAN, ADVOCATE IN SR No. 76929

CMR

TE/SV-MMS/SAR-I : 21/09/2017 : 3P/5C

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