



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.09.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Cr1.O.P. (MD) No.12258 of 2017

1.Madhankumar
2.Krishnan
3.Mariamammal
4.Gopi
5.Manju
6.Pooma

... Petitioners/Accused 1 to 6

-Vs-

1.The State Represented by
The Inspector of Police,
All Women Police Station,
Thirupparankundram,
Madurai District.
(in crime No.18 of 2009)

...1st Respondent/Complainant

2.Santhakumari

... 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.344 of 2014 on the file of the Additional Mahila Court (Judicial Magistrate Level), Madurai and quash the same.

For Petitioners	: Mr.N.Anandhapadmanaban
For R-1	: Mr.K.Anbarasan, Government Advocate(Crl. side).
For R-2	: Mr.K.Mohammed Farook

O R D E R

This Criminal Original petition has been filed to quash the records in C.C.No.344 of 2014 on the file of the learned Additional Mahila Court (Judicial Magistrate Level), Madurai.

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.Based on the complaint lodged by the second respondent, against the petitioners, a case was registered in Crime No.18 of 2009 on the file of the first respondent police for the offences punishable under Sections 498(A), 406 r/w 34 IPC and Section 4 of Dowry Prohibition Act and Section 4 of TNPWH Act. After filing the charge sheet, the case was taken on file by the learned Additional



Mahila Court (Judicial Magistrate Level), Madurai in C.C.No.344 of 2014 against the accused 1 to 12. It is stated that the accused 7 to 12 were already discharged from the criminal case.

4. It appears that on 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, 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 agreed to withdraw all the allegations levelled by her, against the petitioners and prayed this Court for quashing the criminal proceedings.

5. The parties appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own will and free 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 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 or fruitful purpose will be served by keeping this matter pending. Hence the criminal proceedings in C.C.No.344 of 2014 on the file of the learned Additional Mahila Court (Judicial Magistrate Level), Madurai, 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 (CO)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To

1. The Inspector of Police,
All Women Police Station,
Thirupparankundram,
Madurai District.

2. The Additional Mahila Court (Judicial Magistrate Level),
Madurai.

+ 1 CC TO Mr.N.ANANTHA PADMANABAN, ADVOCATE IN SR No. 79691

CMR

TE/MR-KKR/SAR-IV : 09/10/2017 : 2P/4C

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

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