



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDARCrl.O.P.(MD)Nos.12332 and 12375 of 2017

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Crl.O.P.(MD)No.12332 of 2017:

1. Seethalakshmi
 2. Muhilrani
 3. Velusamy
- ... Petitioners / Accused Nos.1 to 3

-Vs-

1. The Inspector of Police,
Alangulam Police Station,
Virudhunagar District.
In Crime No.186 of 2016
 2. Chiriya Pushpam
- ... 1stRespondent/Complainant
- ... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to call for records in crime no.186 of 2016 on the file of the first respondent police and quash the same.

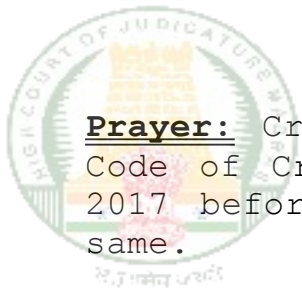
For Petitioners : Mr.R.Pon Karthikeyan
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.side).
For R-2 : Mr.P.T.Ramesh Raja

Crl.O.P.(MD)No.12375 of 2017:

1. Innasiraj
 2. Chiriya Pushpam
- ... Petitioners / Accused Nos.1 & 2

-Vs-

1. The Inspector of Police,
Alangulam Police Station,
Virudhunagar District.
In Crime No.187 of 2016
 2. Muhilrani
- ... 1stRespondent/Complainant
- ... 2nd Respondent/De-facto
Complainant



Prayer: Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to call for records in C.C.No.33 of 2017 before the Judicial Magistrate No.II, Sattur and quash the same.

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For Petitioners : Mr.P.T.Ramesh Raja
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.side).
For R-2 : Mr.R.Pon Karthikeyan

COMMON ORDER

The Criminal Original petitions are filed for quashing the proceedings in Crime no.186 of 2016 on the file of the first respondent police and in C.C.No.33 of 2017 before the Judicial Magistrate No.II, Sattur.

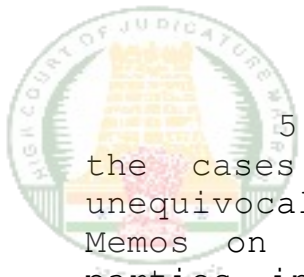
2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Criminal side) appearing for the first respondent and the learned counsel appearing for the second respondent.

3(i). In Crl.O.P.(MD)No.12332 of 2017, the petitioners are the accused nos.1 to 3 in crime no.186 of 2016 on the file of the first respondent police for the offences punishable under Sections 294(b), 323 & 324 of IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act.

3(ii). In Crl.O.P.(MD)No.12375 of 2017, the petitioners are accused nos. 1 and 2 in C.C.No.33 of 2017 before the Judicial Magistrate No.II, Sattur for the offences punishable under Sections 294(b), 323 & 506(i) of IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act.

3(iii). The defacto-complainant in Crime No.186 of 2016 is the relative of the petitioner in Crl.O.P.(MD)No.12375 of 2017. Similarly, defacto-complainant in C.C.No.33 of 2017 is the second petitioner in Crl.O.P.(MD)No.12332 of 2017. The charge sheet is filed in Crime No.187 of 2017 and the same was taken on file in C.C.No.33 of 2017.

4. It appears that on the advise of the elders and friends, the petitioners and second respondent in both the cases have settled their dispute and agreed to compromise the matter, out of Court and they have also entered into a compromise. Joint Compromise Memos, dated 07.09.2017 and 12.09.2017, signed by the both parties, in the presence of their respective counsel, are also filed to that effect. As per the Joint Compromise Memos, the de-facto complainants, namely, the second respondent in both the cases have given their consent to quash the entire proceedings in Crime no.186 of 2016 and C.C.No.33 of 2017 respectively.



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

6. Having regard to the specific terms made between the parties in both the cases in the joint compromise memos, this Court is of the view that no useful purpose will be served by keeping these matters pending. As per the Compromise Memos signed by the parties, the de-facto complainants, namely, the second respondent in both the cases have agreed to quash the proceedings in Crime no.186 of 2016 and C.C.No.33 of 2017 respectively. Hence the criminal proceedings in Crime no.186 of 2016 on the file of the first respondent police and C.C.No.33 of 2017 before the Judicial Magistrate No.II, Sattur are quashed *toto*. The Joint Compromise Memo's signed by the parties shall form part of the order.

7. Accordingly, the Criminal Original petitions are allowed.

Sd/-

Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

Encl.:Xerox Copy of Compromise memo's

To

1. The Judicial Magistrate No.II,
Sattur.

2. The Inspector of Police,
Alangulam Police Station,
Virudhunagar District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO MR.P.T.Ramesh Raja, ADVOCATE IN SR No. 79696

+ 1 CC TO MR.R.Pon Karthikeyan, ADVOCATE IN SR No. 79697

SM

MK/JC/SAR-3/04.10.2017/3P/6C