



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P. (MD) No.13820 of 2017

WEB COPY

1.Dhilban
2.Siluvai Adimai
3.Margret

: Petitioners/Accused No.1 to 3

-Vs-

1. The state rep. by
The Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.
(Crime No. 316 of 2016)

: 1st Respondents/Complainants

2.Mary Vijaya

: 2nd Respondents/Defacto
Complainants

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to quash the FIR in Crime No.316 of 2016 on the file of the first respondent.

For Petitioner : Mr.R.Manimaran

For Respondent No.1 : Mr.K.s. Durai Pandian

Additional Public Prosecutor

For respondent no.2 : Mr. M. Selvakumar

O R D E R

This Criminal Original petition is filed to quash the FIR in Crime No.316 of 2016 on the file of the first respondent.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent no.1 and the learned counsel appearing for the second respondent.

3. On the basis of complaint received from the second respondent, a case was registered in Crime No.316 of 2016 as against the petitioners for the offences under Sections 174(3) of Cr.P.C @ Section 304(b) of IPC, on the file of the first respondent Police.

4. The petitioners state that they are innocents and they never demanded dowry from the second respondent. It is further stated that since the first petitioner, who is the husband of the deceased, was staying in abroad and there is no possibility of demanding any dowry.



5. It appears that the parties viz., the petitioners and the second respondent, have amicably settled their dispute outside the Court and entered into a compromise. The joint compromise memo dated 09.10.2017, signed by the petitioners and the defacto complainant, in the presence of their respective counsels is produced before this Court. As per the joint Compromise memo, the 2nd respondent / de facto complainant has agreed for quashing the First Information Report in Crime No.316 of 2016 pending on the file of the first respondent police.

6. 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 Additional Public Prosecutor through the first respondent police.

7. Having regard to the terms of the joint memo of compromise, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence the criminal proceedings pending in Crime No.316 of 2016 on the file of the first respondent Police, is quashed in toto and the Joint Compromise Memo dated 09.10.2017 signed by the parties shall form part of the order.

7. Accordingly, the Criminal Original petition is allowed.

Sd/-

Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar

Encl: Xerox Copy of Joint Compromise Memo

To

1. The Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.

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

+1cc to Mr.R.Manimaran, Advocate SR.No.83069

TRP

VB/MR/SAR1/02/11/2017/2P/4C