



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.10.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR

Cr1.O.P. (MD) No.13997 of 2017

- 1.Kaliraja @ Devision
- 2.Devendan @ Theivendran
- 3.Rama Devi
- 4.Seetha

: Petitioners/A1 to A4

-Vs-

1. The State of Tamil Nadu
Represented by its Inspector of Police,
All Women Police Station,
Thiruvadanai,
Ramanathapuram District.
Crime No.12 of 2012

: 1st Respondent/Complainant

2. Vinitha

: 2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the case in C.C.No.11 of 2014 on the file of the Judicial Magistrate Court No.I, Ramanathapuram and quash the same as illegal.

For Petitioners : Mr.M.Kannan
For R1 : Mr.K.S.Durai Pandian
Additional Public Prosecutor
For R2 : Mr.Manokaran Martin

ORDER

This Criminal Original Petition has been filed to call for the records relating to the case in C.C.No.11 of 2014 on the file of the Judicial Magistrate Court No.I, Ramanathapuram and to quash the same.

2.Heard the learned Counsel appearing for the petitioners, the learned Additional Public Prosecutor appearing for the first respondent and the learned Counsel appearing for the second respondent.

3.The petitioners are accused Nos.1 to 4 in C.C.No.11 of 2014. Based on the complaint lodged by the second respondent, namely, the de-facto complainant, as against the petitioners, the case was registered in Cr.No.12 of 2012 for the alleged offences under Sections 498(A), 506(1) IPC r/w Section 4 of Dowry Prohibition Act. After filing the charge sheet, the case was taken on file by the Judicial Magistrate Court No.I, Ramanathapuram, in C.C.No.11 of 2014.



4.It appears that the parties have settled their dispute amicably out of Court and they have also entered into compromise, on the advice of well wishers and family members. A Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, is also produced before this Court. As per the terms of the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has no objection for quashing the charge sheet in C.C.No.11 of 2014.

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 Additional Public Prosecutor, through the first respondent police.

6.Having regard to the specific terms of the Joint Compromise Memo, 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.11 of 2014, on the file of the Judicial Magistrate Court No.I, Ramanathapuram, are 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 State of Tamil Nadu
All Women Police Station,
Thiruvadanai,
Ramanathapuram District.
 2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- + 1 CC TO Mr.M.KANNAN, ADVOCATE IN SR No. 82900

MM

TE/MR-KKR/SAR-II : 03/11/2017 : 2P/4C