



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

CRL.OP.(MD) No.14187 of 2017

and

CRL.M.P.(MD)No.9486 of 2017

1.S.Soma Selvakumar

2.S.Somasundaram

3.A.Sumathi

... Petitioner / Accused 1 to 3

Vs.

1.The Inspector of Police,
All Women Police Station,
Manamadurai,
Sivagangai District.

(in Crime No.28 of 2015) ... 1st Respondent / Complainant

2.Arulmozhi

... 2nd Respondent / De-facto complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the proceedings in C.C.No.72 of 2016 on the file of the Additional District Musif cum Judicial Magistrate Court, Manamadurai and quash the same.

For Petitioners

: Mr.N.Madhava Govindan

For R1

: Mr.K.S.Durai Pandian

Additional Public Prosecutor

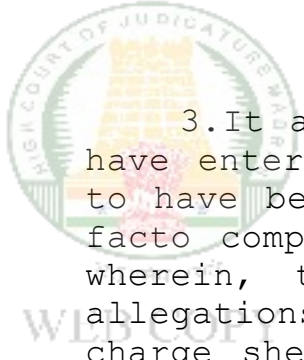
For R2

: G.Ramanathan

ORDER

The Criminal Original Petition is filed to quash the proceedings in C.C.No.72 of 2016 on the file of the Additional District Musif cum Judicial Magistrate Court, Manamadurai.

2.The petitioners are accused No.1 to 3. Based on the complaint, lodged by the second respondent, a case was registered for the alleged offences under Sections 498(A) and 456 IPC r/w 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.28 of 2015. After filing the charge sheet, the case was taken on file by the Additional District Musif cum Judicial Magistrate Court, Manamadurai, in C.C.No.72 of 2016.



3.It appears that the petitioner and the de-facto complainant have entered into a compromise. The dispute between them appears to have been resolved amicably, on the advise of elders. The de-facto complainant / second respondent filed a counter affidavit, wherein, the de-facto complainant has agreed to withdraw the allegations made in the First Information Report and also in the charge sheet in C.C.No.72 of 2016 on the file of the Additional District Musif cum Judicial Magistrate Court, Manamadurai. She further states that the decision was in order to maintain cordial relationship in the interest of well wishers of the both sides.

4.In these circumstances, this Court is of the view that no useful or fruitful purpose will be served by keeping the proceedings before the lower Court. Recording the statement of the learned Counsel for both sides and the statement given by the second respondent in the counter affidavit, the criminal original petition is allowed and the charge sheet in C.C.No.72 of 2016 on the file of the Additional District Musif cum Judicial Magistrate Court, Manamadurai is quashed in *toto*.

5.In view of the above, the Criminal Original Petition is allowed. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
All Women Police Station,
Manamadurai,
Sivagangai District.
2. The Additional District Musif cum Judicial Magistrate Court,
Manamadurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 2 cc TO Mr.N.Madhava Govindan , Advocate in SR No. 83348

+ 1 cc TO Mr.G.Ramanathan , Advocate in SR No. 83637

cmr

AE/SKN RSK/SAR4/02.11.2017/2P/7C