



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP(MD)No.14242 of 2017

Sakthivel ... Petitioner/Accused No.1

Vs.

1.The State rep. by,
The Inspector of Police,
All Women Police Station,
Thiruppathur,
Sivagangai District.

...Respondent /Complainant

2. Jeyanthi ...Respondent/De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to the Charge Sheet in S.C.No.15 of 2013 on the file of the learned Fast Track Mahila Judge, Sivagangai and to quash the same.

For Petitioner	: Mr.M.Natarajan
For R-1	: Mr.C.Ramesh, Additional Public Prosecutor.
For R-2	: Mr.P.Venkata Subramanian

O R D E R

This Criminal Original petition is filed for quashing the Charge Sheet in S.C.No.15 of 2013 on the file of the learned Fast Track Mahila Judge, Sivagangai.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent.

3.The petitioner is accused No.1 in the criminal case in S.C. No.15 of 2013 pending on the file of the learned Fast Track Mahila Judge, Sivagangai. On the basis of the complaint lodged by the second respondent/de-facto complainant against the petitioner and others, a case was registered in Crime No.6 of 2017, dated 07.11.2017, on the alleged offences under Sections 147, 366, 328, 376 of I.P.C., and Section 4 of T.N.P.H.W. Act.



4. After the registration of the case and further investigation, the case was altered for the offences under Sections 149, 366 and 366 of I.P.C., r/w 109 and Section 4 of T.N.P.H.W. Act. The Charge Sheet was also filed before the learned Judicial Magistrate, Thiruppathur and the same was committed to the learned Fast Track Mahila Judge, Sivagangai in S.C.No.15 of 2013.

5. The petitioner states that the case was falsely foisted against the petitioner, as the petitioner and the second respondent were lovers. After the case was taken on file, the petitioner and the second respondent have settled their dispute amicably out side Court at the instigation of the elders and it is also stated that the families of the petitioner and the second respondent have accepted their relationship. It is further stated that the petitioner and the second respondent are leading a happy married life. The parties also have entered into a compromise. A Joint Compromise Memo, dated 23.10.2017, signed by the petitioner and the de-facto complainant in the presence of their respective counsels is produced before this Court. As per the Joint Compromise memo, the second respondent has agreed to withdraw the case and she has also stated that she has no objection for quashing the proceedings in S.C.No.15 of 2013 on the file of the learned Fast Track Mahila Judge, Sivagangai.

6. The parties, namely, the petitioner and the second respondent appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own free will and 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.

7. 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, on the basis of the Joint Compromise Memo signed by the parties, the Criminal Original petition is allowed and the Charge Sheet in S.C.No.15 of 2013 on the file of the learned Fast Track Mahila Judge, Sivagangai, is quashed in respect of the petitioner herein. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar.



Herewith enclosed the Copy of Joint Compromise Memo
To

1. The Fast Track Mahila Judge, Sivagangai.
2. The Inspector of Police, All Women Police Station,
Thiruppathur,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to Mr.M.Natarajan, Advocate, SR.No. 84191

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