



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.10.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.14446 of 2017

1.Dharmalakshmi @ Sukitha
2.Dharmar

... Petitioners / Accused

-Vs-

1. State of Tamil Nadu represented by
The Deputy Superintendent of Police,
Kanyakumari District.
(In Crime No.464 of 2015)

...1st Respondent/Complainant

2. Jamuna

... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to quash the charge sheet in S.C.No.56 of 2016 on the file of the 3rd Additional District Court (Special Court for PCR cases), Tirunelveli.

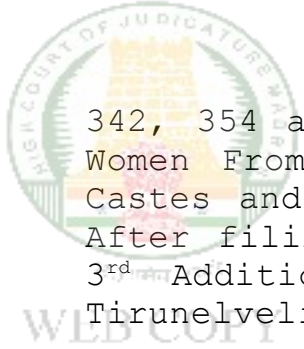
For Petitioners	: Mr.R.Manimaran
For R-1	: Mr.K.S.Durapandian Additional Public Prosecutor
For R-2	: Mr.M.Selvakumar

ORDER

This Criminal Original Petition has been filed to quash the charge sheet in S.C.No.56 of 2016 on the file of the 3rd Additional District Court (Special Court for PCR cases), Tirunelveli.

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 No.1 and 2 in S.C.No.56 of 2016. Based on the complaint received from the second respondent, against the petitioners, a case was registered in Cr.No.464 of 2015, on the file of the Thenthamarai Kulam Police Station, Kanyakumari District, for the offences punishable under Sections



342, 354 and 355 IPC, Section 4 of the Tamil Nadu Prohibition of Women From Harassment Act and Section 3(1)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. After filing the charge sheet, the case was taken on file by the 3rd Additional District Court (Special Court for PCR cases), Tirunelveli. in S.C.No.56 of 2016.

4.It appears that the petitioners and the de-facto complainant have settled their dispute amicably out of Court, at the instigation of relatives and well wishers of both families and they have also entered into a compromise. The parties have filed a Joint Compromise Memo, signed by both parties, in the presence of their respective counsel. As per the terms of the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has agreed for quashing the proceedings in S.C.No.56 of 2016, on the file of the 3rd Additional District Court (Special Court for PCR cases), Tirunelveli, by allowing this petition.

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 Charge Sheet in in S.C.No.56 of 2016, on the file of the 3rd Additional District Court (Special Court for PCR cases), Tirunelveli, is 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 (CS-II)

/True copy/

Sub Assistant Registrar

Encl.: Xerox Copy of Compromise Memo

To

<https://hcservicescourtservice.sirnet.in>
The Deputy Superintendent of Police,
Kanyakumari District.



2. The III Additional District Judge
(Special Court for PCR cases),
Tirunelveli.

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

+ 1 CC TO MR.R.Manimaran, ADVOCATE IN SR No. 84516
cmr
MK/KK/SAR-2/06.11.2017/3P/5C

Cr1.O.P.(MD) No.14446 of 2017
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