



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2017

CORAM

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

Crl.O.P.(MD) No.14612 of 2017

1.Mariammal
2.Sudalaimuthukonar
3.Sornammal
4.Arumugaselvi
5.Kannan ... Petitioners / Accused No.1 to 5

-Vs-

1.The State represented by
The Inspector of Police,
All Women Police Station,
Alangulam
Tirunelveli District.
(in Crime No.9 of 2017) ...1st Respondent/ Complainant

2.Arumugajothi ...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 case in Cr.No.9 of 2017 on the file of the first respondent/complainant in respect of the petitioners/accused herein and quash the same.

For Petitioners : Mr.S.G.L.Rishwanth

For R1 : Mr.K.S.Duraipandian
Additional Public Prosecutor

For R2 : Mr.Sabbani Karpura Jothi

O R D E R

This Criminal Original Petition has been filed to call for the records relating to the case in Cr.No.9 of 2017 on the file of the first respondent/complainant in respect of the petitioners/accused herein and quash the same.

<https://hcservices.ecourts.gov.in/hcservices/>

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 to 5 in Crime No.9 of 2017. Based on the complaint lodged by the second respondent, as against the petitioners, a case was registered in Crime No.9 of 2017 for the alleged offences under Sections 294(b), 341, 323, 506(i) and Section 4 of Tamilnadu Prohibition of Harassment of Woman Act 2002.

4. It appears that, after registration of the complaint, the parties have settled their dispute amicably, at the intervention of elders and relatives and they have also entered into a compromise. A Joint Compromise Memo, dated 26.10.2017, signed by both parties, in the presence of their respective counsel, is also produced before this Court. As per the Joint Compromise Memo, the parties have stated that they have agreed to compromise the issue and the de-facto complainant, namely, the second respondent has expressed her willingness for quashing the First Information Report in Crime No.9 of 2017, insofar as the petitioners are concerned. It is represented by the learned Counsel for the petitioners that the second petitioner alone is not present, due to health reason and that therefore it was represented that the Joint Compromise Memo may be accepted as the second respondent / de-facto complainant is present

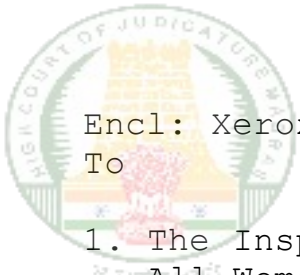
5. Today, the parties except the second respondent appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own free will and volition. The identity of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identity of the parties are also confirmed by the learned Additional Public Prosecutor through the first respondent police.

6. In view of 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 First Information Report in Crime No.9 of 2017, on the file of the All Women Police Station, Tirunelveli District, is quashed insofar as the petitioners are concerned. 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(AS)



Encl: Xerox copy of Compromise memo
To

1. The Inspector of Police,
All Women Police Station,
Tirunelveli District.

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

+ 1 cc TO Mr.S.Sabbani Karpura Jothi , Advocate in SR No. 85744

cmr

AE/JC/SAR2/22.11.2017/3P/4C

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