



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR
CRL OP(MD)No.15398 of 2017

WEB COPY

1. Manikandan @ Ajeshkumar
2. Krishnaveni
3. Ajitha
4. Anitha

... Petitioners/Accused Nos.1 to 4

Vs.

1. State through,
The Inspector of Police,
All Women Police Station(South),
Madurai Town, Madurai.
(Crime No.35 of 2013)

... 1st Respondent /Complainant

2. Kamatchi @ Vanitha

... 2nd Respondent/

De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.475 of 2014 on the file of the learned Additional Mahila Court, Madurai, in Crime No.35 of 2013 on the file of the first respondent police and to quash the same.

For Petitioners	: Mr.M.Mohamed Rafi
For R-1	: Mr.A.Ramar, Additional Public Prosecutor.
For R-2	: Mr.R.Balasubramanian

O R D E R

This Criminal Original petition is filed for quashing the Charge Sheet in C.C.No.475 of 2014 on the file of the learned Judge, Additional Mahila Court, Madurai, in Crime No.35 of 2013 on the file of the first respondent police.

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



3. The petitioners are accused Nos.1 to 4 in C.C.No.475 of 2014 on the file of the learned Judge, Additional Mahila Court, Madurai. On the basis of the complaint lodged by the second respondent/de-facto complainant, a case was registered in Crime No.35 of 2013, dated 18.12.2013, for the alleged offences under Sections 498(A) and 406 of I.P.C.

4. After filing of Charge Sheet, the case was taken on file in C.C.No.475 of 2014 on the file of the learned Judge, Additional Mahila Court, Madurai, for the same offences.

5. After commencement of trial, it appears that the parties, namely, the first petitioner and the second respondent who are the husband and wife have settled their dispute amicably out of Court, at the intervention of family members and elders. The parties also have entered into a compromise. A Joint Compromise Memo, dated 31.10.2017, signed by the petitioners and the de-facto complainant in the presence of their respective counsels is produced before this Court. As per the Joint Compromise memo, the petitioners and the second respondent have agreed to settle their dispute by withdrawing the proceedings in C.C.No.475 of 2014 which is pending before the Additional Mahila Court, Madurai and the settlement was also stated to have been acted upon. Both the parties have also agreed for allowing the petition to quash the Charge Sheet in C.C.No.475 of 2014 on the file of the learned Judge, Additional Mahila Court, Madurai.

6. Today the parties, namely, the petitioners 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 C.C.No.475 of 2014 on the file of the learned Judge, Additional Mahila Court, Madurai, in Crime No.35 of 2013 on the file of the first respondent police is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(Records)

/True copy/



ENCL:Xerox Copy of Joint Compromise Memo.

To

1. The Judge, Additional Mahila Court,
Madurai.
2. The Inspector of Police,
All Women Police Station(South),
Madurai Town, Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.M.MOHAMED RAFI,Advocate,SR. 87510

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KK/SVMMS/SAR 2/28.11.2017/ 3P- 5C