



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDARCRL.O.P.(MD) No.15639 of 2017

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- 1.Thavamurugan @ Thavamani
- 2.Saranya
- 3.Sunthari
- 4.Muthaiyan
- 5.Selvaraj
- 6.Muthu
- 7.Eswaran

:Petitioner/Accused Nos 1 to 7

-Vs-

- 1.The Inspector of Police,
All Women Police Station,
Manamadurai,
Sivagangai District.
(in Crime No.2 of 2017)

: 1st Respondent / Complainant

- 2.Panju @ Panjavarnam

:Respondent/De-facto Complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in C.C.No.185 of 2017 on the file of learned Additional District Munsif cum Judicial Magistrate, Manamadurai and quash the same.

For Petitioners : Mr.P.T.Ramesh Raja
For R1 : Mr.K.S.Duraipandian
Additional Public Prosecutor
For R2 :Mr.R.Pon Karthikeyan

O R D E R

This Criminal Original Petition has been filed to call for the records in C.C.No.185 of 2017 on the file of learned Additional District Munsif cum Judicial Magistrate, Manamadurai and quash the same.

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 the Accused Nos.1 to 7 in the criminal proceedings in C.C.No.185 of 2017 on the file of the learned Additional District Munsif cum Judicial Magistrate, Manamadurai. Based on the complaint lodged by the second respondent, a case was registered in Crime No.02 of 2017 for the offences punishable



under Sections 294(b), 498(A), 506(2), 494 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act against the petitioners. After filing the charge sheet, the case was taken on file by the learned Additional District Munsif cum Judicial Magistrate, Manamadurai in C.C.No.185 of 2017.

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4.It appears that the parties, namely, the petitioners and the second respondent have settled their dispute amicably out of Court, at the intervention of elders and relatives and a compromise was also reached. A Joint Compromise Memo, signed by both the parties, in the presence of their respective Counsels, is also produced before this Court. As per the Joint Compromise Memo, the second respondent has specifically agreed for quashing the criminal proceedings in C.C.No.185 of 2017 pending on the file of the learned Additional District Munsif cum Judicial Magistrate, Manamadurai.

5.Today, the parties 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 criminal proceedings in C.C.No.185 of 2017 pending on the file of the learned Additional District Munsif cum Judicial Magistrate, Manamadurai, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order. Accordingly, the Criminal Original Petition is allowed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

Herewith enclosed the xerox copy of Joint Compromise Memo signed by the parties shall form part of the order.

To

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