



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No. 15767 of 2017

- 1.Eesakku @ Esak
- 2.Tharmar
- 3.Mayan
- 4.Punnaivanam

... Petitioners

-Vs-

1. The State Represented by
The Inspector of Police,
Soorankudi Police Station,
Thoothukudi District.

2. Shanmugakani

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the charge sheet in C.C.No.7 of 2017 on the file of Judicial Magistrate Vilathikulam, Thoothukudi and quash the same as the matters amicably settled between parties.

For Petitioners	: Mr.V.Nirmal Kumar
For R1	: Mr.K.S.Durai Pandian Additional Public Prosecutor
For R2	: M/s.T.K.Akalya

ORDER

The Criminal Original Petition has been filed to call for the records relating to the charge sheet in C.C.No.7 of 2017 on the file of the learned Judicial Magistrate, Vilathikulam, Thoothukudi and to quash the same.

2.Heard the learned counsel appearing for the petitioners, 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 4 in C.C.No.7 of 2017. Based on the complaint lodged by the second respondent herein, a case was registered in Crime No.110 of 2016 on 27.08.2016, by the respondent police for the offences punishable under Sections 294(b), 323 and 506(1) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. After filing the charge sheet, the



case was taken on file in C.C.No.7 of 2017 before the learned Judicial Magistrate, Vilathikulam, Thoothukudi District.

4.It appears that the petitioners and the second respondent, namely, the de-facto complainant have settled their dispute amicably out of Court and they have also entered into a compromise, on the advise of elders and their relatives in the village. A Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, is also produced before this Court. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent, has agreed to compromise the matter and expressed no objection for quashing the entire proceedings in C.C.No.7 of 2017 on the file of the learned Judicial Magistrate, Vilathikulam, Thoothukudi District.

5.The parties appeared before this Court today 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.Having regard to the specific terms of the Joint Compromise Memo, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence the criminal proceedings in C.C.No.7 of 2017, on the file of the learned Judicial Magistrate, Vilathikulam, Thoothukudi District, 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 (CO)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To

1. The Judicial Magistrate,
Vilathikulam, Thoothukudi District.
2. The Inspector of Police,
Soorankudi Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

MM

TE/SKN-RSK/SAR-2 : 05/12/2017 : 2P/4C

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