



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2017
CORAM

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

Crl.O.P. (MD) No. 15860 of 2017

Muthukumaran Gandhi

... Petitioner

-Vs-

1. The State Represented by the
Inspector of Police,
All Women Police Station,
Karaikdudi,
Sivagangai District.

2. V.Saroja

... Respondents

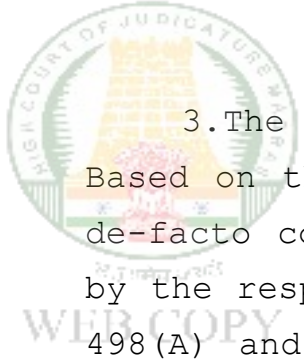
Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the charge sheet in C.C.No.255 of 2014 on the file of the learned District Munsif cum Judicial Magistrate, Karaikudi, Sivagangai District and quash the same.

For Petitioner	: Mr.J.Anandkumar
For R1	: Mr.D.S.Durai Pandian Additional Public Prosecutor
For R2	: Mr.T.Balakrishnan

ORDER

The Criminal Original Petition has been filed to call for the records relating to charge sheet in C.C.No.255 of 2014 on the file of the learned District Munsif cum Judicial Magistrate, Karaikudi, Sivagangai District and to quash the same.

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



3.The petitioner is the sole accused in C.C.No.255 of 2014. Based on the complaint lodged by the second respondent, namely the de-facto complainant, a case was registered in Crime No.9 of 2014, by the respondent police for the offences punishable under Sections 498(A) and 406 IPC and Section 4 of Tamil Nadu Dowry Prohibition Act. After filing the charge sheet the case was taken on file in C.C.No.255 of 2014 before the learned District Munsif cum Judicial Magistrate, Karaikudi, Sivagangai District.

4.It appears that the petitioner 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 relatives. 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 parties have accepted compromise and the de-facto complainant, namely, the second respondent, has agreed for quashing the charge sheet in C.C.No.255 of 2014 on the file of the learned District Munsif cum Judicial Magistrate, Karaikudi, Sivagangai District.

5.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.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 charge sheet in C.C.No.255 of 2014 on the file of the learned District Munsif cum Judicial Magistrate, Karaikudi, Sivagangai 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 (CS-III)

WEB COPY

/True Copy/

Sub Assistant Registrar

To

(Encl. Xerox copy of Joint Compromise memo)

1. The Judicial Magistrate,
Karaikudi, Sivagangai District.
2. The Inspector of Police,
All Women Police Station,
Karaikdudi,
Sivagangai District.

+1cc to M/S.J.ANANDKUMAR, Advocate SR.No.88577.

Crl.O.P.(MD) No. 15860 of 2017
21.11.2017

mm

SDS/MR:KKR/SAR 4/04.12.2017/3P/4C