



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2017

CORAM

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

Cr1.O.P.(MD) No. 16026 of 2017

Gautham

... Petitioner/Accused No.1

-Vs-

1. The Inspector of Police,
All Women Police Station,
Tallakullam Police Station,
Madurai City.
(in Crime No.2 of 2015)

... 1st Respondent/Complainant

2. Keerthana

... 2nd 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.52 of 2015 dated 20.04.2015, on the file of the Additional Mahila Court, Madurai in Crime No.2 of 2015, dated 10.01.2015, on the file of the first respondent police and quash the same against this petitioner.

For Petitioner :Mr.S.Sivaprakash

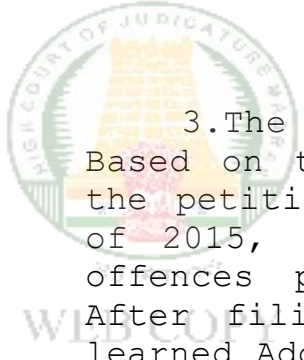
For R-1 :Mr.K.S.Durai Pandian
Additional Public Prosecutor

For R-2 :Mr.B.Vishvanathan

O R D E R

This Criminal Original Petition has been filed to quash the C.C.No.52 of 2015 dated 20.04.2015, on the file of the Additional Mahila Court, Madurai in Crime No.2 of 2015, dated 10.01.2015, on the file of the first respondent police.

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



3.The petitioner is the first accused in Cr.No.2 of 2015. Based on the complaint lodged by the second respondent, against the petitioner and another the case was registered in Crime No.2 of 2015, on the file of the first respondent police, for the offences punishable under Sections 498(A) and 506(1) of IPC. After filing Charge Sheet, the case was taken on file by the learned Additional Mahila Judge, Madurai in C.C.No.52 of 2015.

4.It appears that at the advise of the elders and friends, the petitioner and the second respondent have agreed to compromise the matter, out of Court, and the parties have entered into compromise. A Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, is also filed. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has agreed to quash the Charge Sheet in C.C.No.52 of 2015, on the file of the learned Additional Mahila Judge, Madurai as against the petitioner.

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 or fruitful purpose will be served by keeping this matter pending. Hence the Charge Sheet in C.C.No.52 of 2015, on the file of the learned Additional Mahila Judge, Madurai, is quashed as against the petitioner. 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-I)

/True Copy/

Sub Assistant Registrar

Encl: Xerox copy of Joint Compromise Memo

To

1. The Inspector of Police,
All Women Police Station,
Madurai City.



2. The Judge, Additional Mahila Court, Madurai.

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

+1cc to Mr.S.Sivaprakash, Advocate Sr.No.90064

GSP

VB/KK/SAR3/12/12/2017/3P/5C

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