



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.11.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Cr1.O.P. (MD) No.16068 of 2017

- 1.Prathap
- 2.Sukumaran
- 3.Uma Maheshwari

... Petitioners/Accused Nos.1 to 3

-Vs-

1. The State represented by
The Inspector of Police,
All Women Police Station,
Karaikudi, Sivagangai District.
[Crime No.10/2012]

... 1st Respondent/Complainant

2. Suganyapriya

... 2nd Respondent/De-facto complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to C.C.No.354 of 2013, pending on the file of the learned District Munsif-cum-Judicial Magistrate, Karaikudi and quash the same.

For Petitioners	: Mr.D.Rameshkumar
For R1	: Mr.K.S.Duraipandian
	Additional Public Prosecutor
For R2	: Mr.K.Karpagam

ORDER

This Criminal Original Petition has been filed to call for the records relating to C.C.No.354 of 2013, pending on the file of the learned District Munsif-cum-Judicial Magistrate, Karaikudi 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 3 in the criminal proceedings in C.C.No.354 of 2013, on the file of the learned District Munsif-cum-Judicial Magistrate, Karaikudi. Based on the complaint lodged by the second respondent, a case was registered in Crime No.10 of 2012, as against the petitioners, for the offences punishable under Sections 498-A, 406, 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act. After filing the charge sheet, the case was taken on file by the learned District Munsif-cum-Judicial Magistrate, Karaikudi, in C.C.No.354 of 2013.



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 they have also entered into a compromise. A Joint Compromise Memo, dated 21.11.2017, signed by both the parties, in the presence of their respective Counsels, is also produced before this Court. As per the terms of the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has agreed for quashing the criminal proceedings in C.C.No.354 of 2013 pending on the file of the learned District Munsif-cum-Judicial Magistrate, Karaikudi.

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.354 of 2013 pending on the file of the learned District Munsif-cum-Judicial Magistrate, Karaikudi, 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 (AS)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To

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

+ 1 CC TO Mr.D.RAMESH KUMAR, ADVOCATE IN SR No. 88921

CMR

TE/KP/SAR-4 : 07/12/2017 : 2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>

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