



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2017

CORAM

WEB COPY

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

Cr1.O.P.(MD) No. 16191 of 2017

1.Govindaraj

2.Mariyayee

3.Pandidurai

4.Poongothai

5.Subbiah

6.Nithiya @ Vithiya

7.Veerasamy ...Petitioners/Accused No.1 to 8
-Vs-

1.State Represented by
The Inspector of Police,
All Women Police Station,
Alangudi, Pudukkottai District.
(Crime No.3 of 2015) ... 1st Respondent/Complainant

2.Latha ...2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in C.C.No.67 of 2016 in Cr.No.3 of 2015 on the file of the learned Judicial Magistrate, Alangudi and quash the same.

For Petitioners :Mr.E.Balasubramanian
For R1 :Mr.K.S.Durai Pandian
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to call for the records in C.C.No.67 of 2016 in Cr.No.3 of 2015 on the file of the learned Judicial Magistrate, Alangudi and to quash the same.

2.Heard the learned counsel appearing for the petitioners,
<https://hc.services.eprints.org/in/hc/services/> Learned Additional Public Prosecutor appearing for the first respondent.



3.The petitioners are accused No.1 to 8 in Cr.No.3 of 2015. Based on the complaint lodged by the second respondent, a case was registered as against the petitioners for the offences punishable under Sections 323, 294(b), 417, 494 and 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, by the first respondent. After filing the charge sheet, the case was taken on file in C.C.No.67 of 2016 before the learned Judicial Magistrate, Alangudi.

4.It appears that the parties have settled their dispute amicably out of Court and they have also entered into a compromise, on the advise of elders and their family members. 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 no objection for quashing the entire proceedings in C.C.No.67 of 2016 on the file of the learned Judicial Magistrate, Alangudi.

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 criminal proceedings in C.C.No.67 of 2016, on the file of the learned Judicial Magistrate, Alangudi, 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(RTI)

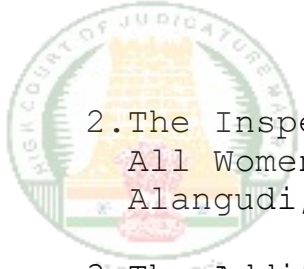
/True Copy/

Sub Assistant Registrar

Encl: Xerox Copy of Joint Compromise Memo

To

<https://hccourtsgov.in/cases>
The Judicial Magistrate Court,
Alangudi.



2.The Inspector of Police,
All Women Police Station,
Alangudi, Pudukkottai District.

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

+1cc to Mr.E.Balasubramanian, Advocate Sr.No.89485

CMR

VB/SKN/RSK/SAR3/12/12/2017/3P/5C

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