



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.12.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD) Nos.16855 and 16856 of 2017

WEB COPY

Crl.O.P.(MD)No. 16855 of 2017

1. Syed Sulthan
 2. Abbas Manthiri
 3. Mumtaj Begam
 4. Sakila Banu @ Sakkila
 5. Sajitha
 6. Subaitha @ Subaitha Begum
 7. Sirajudeen
 8. Noorjahan @ Noorjahan Begam
 9. Hakkeem
 - 10.Sharmila
- ... Petitioners / Accused Nos.1 to 10

Vs

1. The State represented by
The Inspector of Police,
All Women Police Station,
Palani, Dindigul District.
(In Crime No.24 of 2010) ...1st Respondent/ Complainant
2. S. Abinisha Begum ... 2nd Respondent / Defacto
Complainant

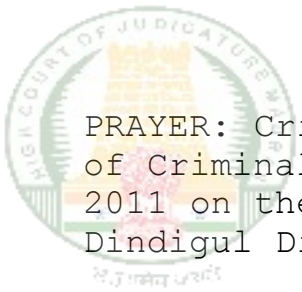
PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in C.C.No.425 of 2010 on the file of the Judicial Magistrate, Palani and quash the same.

Crl.O.P.(MD)No. 16856 of 2017

- 1.A.Sahabudeen
 - 2.R.Jinna @ Mohamed Ali Zinnah
 - 3.A.Parveen @ Sabana Parveen
 - 4.B.Shahul Hameed
 - 5.Alif Roja
- ... Petitioners / Accused Nos. 1 to 5

Vs

- 1.The State represented by
The Inspector of Police,
Town Police Station,
Palani, Dindigul District.
(In Crime No.424 of 2010) ... 1st Respondent / Complainant
2. S. Kaja Mohamed ... 2nd Respondent / Defacto
Complainant



PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in S.T.C.No.72 of 2011 on the file of the Learned Judicial Magistrate, Palani, Dindigul District and quash the same.

For Petitioners : Mr.N. Ananthapadmanabhan
 For R1 : Mr.K.S.Duraipandian
 Additional Public Prosecutor
 For R2 : Mr.K. Mohammed Farook
 (In Both CrI.O.Ps.)

COMMON ORDER

These Criminal Original Petitions have been filed to call for the records in C.C.No.425 of 2010 and S.T.C.No.72 of 2011 on the file of the Learned Judicial Magistrate, Palani, Dindigul District and quash the same.

2.Heard the learned Counsels appearing for the petitioners, the learned Additional Public Prosecutor appearing for the first respondent and the learned Counsel appearing for the second respondents in both the petitions.

3. The petitioners in CrI.O.P.(MD)No.16855 of 2017 are accused Nos. 1 to 10 in the proceedings in C.C.No.425 of 2010 on the file of the Judicial Magistrate, Palani. Similarly, the petitioners in CrI.O.P.(MD)No.16856 of 2017 are accused Nos.1 to 5 in the proceedings in S.T.C.No.72 of 2011 on the file of the Judicial Magistrate, Palani, Dindigul District.

4. It appears that the dispute between the petitioners and the second respondent in this case relates to a matrimonial dispute. The second respondent in both the cases have lodged a complaint as against the petitioners in the respective Criminal Original Petitions and the first case was registered in Cr.No.24 of 2010 for the alleged offences under section 498(A), 406 IPC and Section 4 of Dowry Prohibition Act as against the accused who are petitioners in Cr.O.P.(MD)No.16855 of 2017.

5. Similarly yet another case was registered as against the petitioners in CrI.O.P.(MD)No.16856 of 2017 for the offences under section 147, 294(b), 506(ii) IPC and both parties, after filing of charge sheet appears to have compromise the issue and settle their dispute amicably out of Court in the presence of elders and family members.

6. It is stated that the parties have entered into compromise and the same was also acted upon. Joint Compromise Memos dated 04.12.2017 independently in both the cases were filed before this court. As per the Joint Compromise Memos, the second respondent in the respective cases have agreed to record the compromise and



to agree to withdraw the case pending before the trial Court and quashing the proceedings in C.C.No.425 of 2010 and S.T.C.No.72 of 2011 on the file of the Learned Judicial Magistrate, Palani, Dindigul District.

7.Today, the parties appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memos 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.

8.In view of the specific terms of the Joint Compromise Memos, this Court is of the view that no useful or fruitful purpose will be served by keeping this matter pending. Hence these criminal proceedings in C.C.No.425 of 2010 r/w other provisions and S.T.C.No.72 of 2011 on the file of the Learned Judicial Magistrate, Palani, Dindigul District, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

9.Accordingly, these Criminal Original Petitions are allowed.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate, Palani,
Dindigu District.
2. The Inspector of Police,
All Women Police Station,
Palani, Dindigul District.
3. The Inspector of Police,
Town Police Station,
Palani, Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.N. Ananthapadmanabhan, Advocate SR.No. 91543

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