



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP(MD)No.17201 of 2017

1. Murugan
2. Ayyappan
3. Esakkiammal
4. Ayyasamy

... Petitioners/Accused Nos.1 to 4/  
Accused Nos.1 to 4

Vs.

1. The Deputy Superintendent of Police,  
Ambasamuthiram,  
Tirunelveli District, Tirunelveli.

2. The State represented by,  
The Inspector of Police,  
Kadayam Police Station,  
Kadayam, Tirunelveli District.  
(Crime No.392 of 2014)

... Respondents/Complainants/ Complainants

3. Ayyappan ...Respondent/Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the case in S.C.No.563 of 2017 on the file of the Mahila Court, Tirunelveli District in relation to Crime No.392 of 2014 on the file of the Inspector of Police, Kadayam Police Station, Kadayam, Tirunelveli District and to quash the same on the ground of compromise forthwith.

For Petitioners : Mr.S.Palani Velayutham  
For R-1 & R-2 : Mr.K.S.Durai Pandiyan,  
Additional Public Prosecutor.  
For R-3 : Mr.M.Vaithyalingam

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O R D E R

This Criminal Original petition is filed for quashing the criminal proceedings in S.C.No.563 of 2017 on the file of the Mahila Court, Tirunelveli District in relation to Crime No.392 of 2014 on the file of the Inspector of Police, Kadayam Police Station, Kadayam, Tirunelveli District.



2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for respondents 1 and 2 and the learned counsel appearing for the third respondent.

3. The petitioners are accused Nos.1 to 4 in Crime No.392 of 2014 on the file of the second respondent police. On the basis of the complaint lodged by the third respondent/de-facto complainant, a case was registered in Crime No.392 of 2014, dated 10.11.2014, for the offences under Sections 294(b) and 306 r/w 109 of I.P.C.

4. After filing of the Charge Sheet, the case was taken on file in S.C.No.563 of 2017 on the file of the learned Judge, Mahila Court, Tirunelveli District, for the same offences.

5. It appears that the parties, namely, the petitioners and the third respondent have settled their dispute amicably out of Court, on the advise of the family members and elders. The parties also have entered into a compromise. The Joint Compromise Memo, dated 04.12.2017, signed by the petitioners and the de-facto complainant in the presence of their respective counsels is produced before this Court. As per the Joint Compromise memo, the parties have accepted the compromise and agreed for quashing the proceedings in S.C.No.563 of 2017 on the file of the learned Judge, Mahila Court, Tirunelveli District.

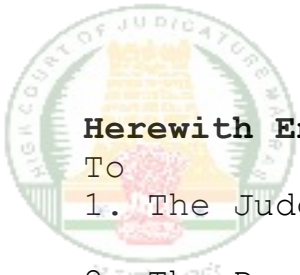
6. The parties, namely, the petitioners and the third respondent appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own free will and volition. The identity of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identity of the parties are also confirmed by the learned Additional Public Prosecutor through the second respondent police.

7. 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, on the basis of the Joint Compromise Memo signed by the parties, the Criminal Original petition is allowed and the criminal proceedings in S.C.No.563 of 2017 pending on the file of the Mahila Court, Tirunelveli District, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/



**Herewith Enclosed the xerox copy of Memo of Compromise**  
To

1. The Judge, Mahila Court, Tirunelveli District.

2. The Deputy Superintendent of Police,  
Ambasamuthiram,  
Tirunelveli District, Tirunelveli.

3. The Inspector of Police,  
Kadayam Police Station,  
Kadayam, Tirunelveli District.

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

+1CC to Mr.S.Palani Velayutham, Advocate, SR.No. 92805

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14.12.2017

pmu

AM/SV MMS/SAR 4/14.12.2017/3P/6C