



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD) No.17286 of 2017

- 1.Karthick
- 2.Meri Manonmaniyam
- 3.Mahendiran @ Moses Mahendiran
- 4.Dhakshina Moorthy
- 5.Loganathan
- 6.Susila

... Petitioner/Accused Nos.1 to 6

Vs

1. The Inspector of Police,
All Women Police Station,
Trichy District.
(Crime No.5 of 2013).

... 1st Respondent / Complainant

2. Saranya

... 2nd Respondent / De-facto
complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the Charge Sheet in C.C.No.79 of 2017 on the file of Judicial Magistrate, Additional Mahila Court, Trichy and quash the same.

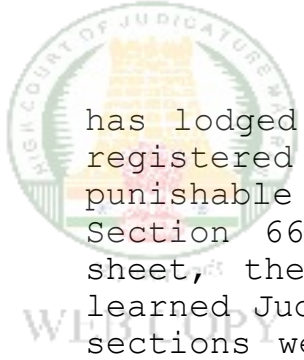
For Petitioners	: Mr.C.Jeganathan
For R1	: Mr.K.S.Duraipandian Additional Public Prosecutor
For R2	: Mr.M.Dinesh

ORDER

This Criminal Original Petition has been filed to call for the records relating to the charge sheet in C.C.No.79 of 2017 on the file of the learned Judicial Magistrate, Additional Mahila Court, Trichy 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 accused Nos. 1 and 6 in the criminal case in C.C.No.79 of 2017 pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Trichy. The second respondent



has lodged a complaint as against the petitioners and the same was registered in Crime No. 5 of 2013 for the alleged offences punishable under Sections 498(A), 354(A) and 506(i) of IPC and Section 66(A) and 66(D) IT Act, 2008. After filing the charge sheet, the case was taken on file in C.C.No.79 of 2017 by the learned Judicial Magistrate, Additional Mahila Court, Trichy and the sections were altered into under Section 498(A), 254(A) and 506(i) of IPC and Section 4 of Tamil Nadu Prohibition Women Harassment Act, 2002. The first petitioner is the husband of the second respondent and other petitioners are the in-laws and close relatives of the second respondent.

4.It appears that the parties namely the first petitioner and the second respondent have amicably settled their dispute out of court at the intervention of relatives and elders. It is further stated that the compromise between the parties was acted upon and as a result, the first petitioner and the second respondent got mutual divorce. A Joint Compromise Memo dated 09.12.2017, signed by the petitioners and the second respondent in the presence of their respective Counsels is produced before this Court. As per the Joint Compromise memo, the parties have agreed for certain terms and that they have also resolved their dispute and the second respondent has agreed for quashing the proceedings in C.C.No.79 of 2017 on the file of the learned Judicial Magistrate / Additional Mahila Court, Trichy.

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.79 of 2017 on the file of the learned Judicial Magistrate Additional Mahila Court, Trichy, 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 (CS-I)

/True Copy/



Encl.: Xerox copy of Compromise Memo

To

1. The Judicial Magistrate,
Additional Mahila Court,
Trichy.
2. The Inspector of Police,
All Women Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.M.DINESH, ADVOCATE IN SR No. 93382
+ 1 CC TO M/s.VEERA ASSOCIATES, IN SR No. 93383

PNN/CMR

TE/MR/SAR-1 : 22/01/2018 : 3P/6C

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