



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2017

CORAM

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THE HON'BLE MR.JUSTICE S.S.SUNDARCrl.O.P.(MD) No.17552 of 2017

- 1.Rajan Chinna
- 2.Periyakaruppan
- 3.Uma Maheswari
- 4.Prithivee Rajan Chinna
- 5.Navamaniammal
- 6.Meenakshi
- 7.Ramesh
- 8.Tirupathi
- 9.Papathiammal
- 10.Karuppayee

... Petitioner / Accused

-Vs-

- 1.State
rep. by the Sub Inspector of Police,
All Women Police Station,
Madurai South,
Madurai City.
(Crime No.14 of 2005)

2. Sheeladevi
- ... respondents

Prayer: Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the charge sheet in C.C.No.217 of 2014 on the file of the Additional Mahila Court (Magistrate Level), Madurai and quash the same as the matter is amicably settled between the parties.

For Petitioners	:	Mr.R. Palanikumaran
For R-1	:	Mr.K.S. Duraipandian
		Additional Public Prosecutor
For R-2	:	Mr.R. Gandhi

O R D E R

This Criminal Original petition is filed to call for the records relating to the charge sheet in C.C.No.217 of 2014 on the file of the Additional Mahila Court (Magistrate Level), Madurai and quash the same as the matter is amicably settled between the parties.



2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent no. 1 and the learned counsel appearing for the second respondent.

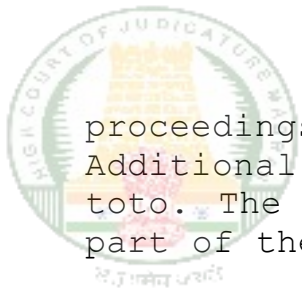
3. The petitioners are the accused nos.1 to 10 in criminal proceedings in C.C.No.217 of 2014, on the file of the Additional Mahila Court (Magistrate Level), Madurai. On the basis of the complaint lodged by the second respondent / de facto complainant, as against the petitioners, a case was registered by the first respondent police in Crime No.14 of 2005, for the offences under Sections 406, 498(A) of IPC and Section 4 of Dowry Prohibition Act. After filing charge sheet, the case was taken on file in C.C.No.217 of 2014, on the file of the Additional Mahila Court (Magistrate Level), Madurai, for the same offence.

4. It appears that parties viz., petitioners and the 2nd respondent / de facto complainant have settled their dispute amicably out of Court, at the instigation of the elders and well wishers and they have also entered into a compromise. A joint compromise memo signed by the parties concerned in the presence of their respective counsels is produced before this Court. As per the joint Compromise Memo, the de facto complainant has agreed to withdraw the criminal proceedings pending in C.C.No.126 of 2008 and the second respondent have requested this Court to quash the proceedings in C.C.No.126 of 2008, on the file of the Additional Mahila Court (Magistrate Level), Madurai.

5. The petitioners have appeared before this Court today and expressed in unequivocal terms that the Joint Compromise Memo was signed by them on their own 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. The learned counsel appearing for the de facto complainant / 2nd respondent has stated that the de facto complainant is a practising Advocate of this Court and that she is not in a position to present herself before this Court apprehending some kind of embarrassment. However, affidavit is filed before this Court and the identity of the de facto complainant is confirmed by the learned counsel appearing for the petitioners. In such circumstances, this Court, as a special case, is inclined to dispose of this petition, on the basis of the compromise memo.

7. In the said circumstances, this Court is of the view that the Criminal Original petition will be served by keeping this matter pending. Hence, on the basis of the compromise memo signed by the parties, the Criminal Original petition is allowed and the criminal



proceedings pending in C.C.No.217 of 2014, on the file of the Additional Mahila Court (Magistrate Level), Madurai is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

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Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Sub Inspector of Police,
All Women Police Station,
Madurai South, Madurai City.
2. The Additional Mahila Court (Magistrate Level),
Madurai
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO M/S.R.GANDHI, ADVOCATE, SR NO.94551

Cr1.O.P. (MD) No.17552 of 2017
21.12.2017

trp

MS/SV-MMS/SAR.3/10.01.2018/3P.5C