



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2017

CORAM

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THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

Cr1.O.P.(MD) No.3032 of 2017
and

Cr1.M.P.(MD) Nos.2315 and 2316 of 2017

1.Prabhu
2.Jeyaseli
3.Arivalagan
4.Vijayaraj

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

1.State represented by
The Inspector of Police,
All Women Police Station,
Vilathikulam,
Tuticorin.

...1st Respondent / Complainant

2.Karpagavalli

...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 in C.C.No.84 of 2016 on the file of the learned Judicial Magistrate Court, Vilathikulam and quash the same.

For Petitioners :Ms.P.Rajagopalan
For R1 :Mr.K.Anbarasan
Government Advocate (Cr1. Side)
For R2 :Mr.C.Chandrabose

ORDER

This Criminal Original petition has been filed to quash the records in C.C.No.84 of 2016 on the file of the learned Judicial Magistrate Court, Vilathikulam.

2.The petitioners are the accused Nos.1 to 4 in Cr.No.10 of 2015 on the file of the first respondent police. The second respondent lodged a complaint as against the petitioners and the same was registered in Cr.No.10 of 2015, for the offences punishable under Sections 498(A), 294(b) and 506(ii) IPC and Section 4 of TNPHW Act r/w Section 4 of Dowry Prohibition Act. It appears that after filing the charge sheet, the case was taken on file in C.C.No.84 of 2016 on the file of the learned Judicial Magistrate Court, Vilathikulam.



3.It appears that the parties, namely, the petitioners and the second respondent have settled their dispute amicably pursuant to mediation. On the basis of mediation, the parties have acted upon to withdraw the case. In view of the compromise, that was reached between the parties, a mediation agreement was also entered into. As per the mediation agreement signed by the parties concerned and the de-facto has also agreed to withdraw the criminal proceeding, above referred to. The joint compromise memo, signed by both the parties, in the presence of their respective counsels, is also produced before this Court. As per the Joint Compromise Memo, the parties have settled their dispute in accordance with mediation agreement. The parties also requested this Court to accept the joint compromise memo and allow the above criminal original petition.

4.Having regard to the compromise arrived at between the parties, this Court is of the view that no useful purpose will be served by keeping this matter pending. As per the Compromise Memo signed by the parties, the de-facto complainant, namely, the second respondent has agreed to quash the proceedings against the petitioners. Hence the criminal proceedings in C.C.No.84 of 2016 on the file of the learned Judicial Magistrate Court, Vilathikulam. is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order.

5.Accordingly, the Criminal Original petition is allowed.

Sd/-

Assistant Registrar(CRL.SIDE)

/True Copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate Court,
Vilathikulam.

2.-do-Thro' The Chief Judicial Magistrate,
Tuticorin.

3.The Inspector of Police,
All Women Police Station,
Vilathikulam, Tuticorin.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
+1cc to Mr.P.RAJAGOPALAN Advocate in SR. No. 79629
CMR
JS/JC/SAR.2/3.10.2017/2P-6C

Crl.O.P. (MD) No.3032 of 2017
and

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