



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. (MD) No.3478 of 2017

1.Vijayapandian
2.Manokaran
3.Tamilarasi @ Tamilselvi
4.Suganya
5.Saranya

: Petitioners

-vs-

1.State rep. by the Inspector of Police,
All Women Police Station,
Thallakulam, Madurai District.
in Crime No.44 of 2015,
2.Karpagam

: Respondents

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to call for the records relating to the case in C.C.No.284/2016 on the file of learned Judicial Magistrate Additional Mahila Court, Madurai and quash the same against the petitioners/accused.

For Petitioners	:	Mr.R.Venkateswaran
For Respondent No.1	:	Mr.A.P.Balasubramani
		Government Advocate (Cr1.side)
For Respondent No.2	:	Mr.B.Chandramohan

O R D E R

On the complaint lodged by one Karpagam/2nd respondent, the first respondent police registered a case in Crime No.44 of 2015 and after completing the investigation, has filed a final report in C.C.No.284 of 2016, before the learned Judicial Magistrate Additional Mahila Court, Madurai, for offences under Sections 498 (A), 406 and 506(ii) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act against the petitioners, challenging which, the accused and the *defacto* complainant are before this Court for quashing the proceedings in C.C.No.284 of 2016 against the petitioners on the ground that they have arrived at a compromise.

2. Today, when the matter is taken up for hearing, Ms.A.Selvi, Sub Inspector of Police, Thallakulam All Women Police Station, Madurai District, is present in Court. The *defacto* complainant is present and the accused are also present and their identifications were also verified by this Court, in addition to



the confirmation of the identity of the parties by the learned Government Advocate (Criminal side) through Ms.A.Selvi, Sub Inspector of Police, Thallakulam All Women Police Station, Madurai District.

3. The petitioners and the second respondent have filed an affidavit along with a compromise memo dated 20.03.2017, in which, it has been stated as follows:

"2.It is submitted that the above case has arisen from the matrimonial dispute. The accused No.1 and the defacto complainant are husband and wife by marriage dated 18.06.2012. They shortly lived together and no issue between them. There arose a difference of opinion between them and the same could not be resolved despite an intervention by the elders of both families and there was no chance for reunion and so they decided to determine their future on their own accord and to live with peace and harmony, by conciliation, they have now amicably settled their dispute and they agreed to mutual divorce and the defacto complainant has consented to get the said case in C.C.No.284/2016 pending against the accused quashed by this Hon'ble Court and in view of the same, the defacto complainant and the accused have entered into a joint compromise memo and in token thereof, the accused and the defacto complainant have signed herewith. The same may be accepted by this Hon'ble Court and the case against the accused may be quashed by this Hon'ble Court."

4. It is seen that there are six accused in the chargesheet, out of which, five accused are before this Court for quashing the prosecution.

5. In view of the affidavit dated 20.03.2017, this Court is of the opinion that no useful purpose would be served in keeping the matter pending. Therefore, this petition is allowed and the entire proceedings in C.C.No.284 of 2016, pending on the file of the learned Judicial Magistrate Additional Mahila Court, in respect of all the accused including the accused, who are not before this Court are hereby quashed. The affidavit along with the compromise memo dated 20.03.2017 shall form part of this order.

6.At the instance of the learned counsel for the petitioners, the petitioners themselves voluntarily came forward to contribute some amount for the purpose of removal of Karuvelam Trees.

7. Accepting the submission, all the accused are directed to pay a sum of Rs.1,000/- (Rupees six thousand only) each (Total Rs.6,000/-), to the credit of Indian Bank Savings Account



No.6514082295, operated by the Registrar (Administration), Madurai /Bench of Madras High Court, Madurai, for the purpose of removal of Karuvelam Trees, within a period of two weeks from today. After making payment, a copy of the challan shall be furnished to the Registrar (Administration), Madurai Bench of Madras High Court, Madurai.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To:

1.The Judicial Magistrate, Additional Mahila Court,
Madurai

2.The Inspector of Police,
All Women Police Station,
Madurai South, Madurai District.

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

+1cc to M/s. R.VENKATESWARAN Advocate in SR. No.18079

Copy to : The Registrar(Administration),
Madurai Bench of Madras High Court, Madurai.

RR
JS/SV.MMS/12.04.2017/2P-6C

Order made in
Cr1.O.P. (MD) No.3478 of 2017
Dated: 24.03.2017