



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2017

CORAM

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

Cr1.O.P.(MD) No.3837 of 2017

1.Gopinath Radha
2.G.Radha
3.R.Padmavathy

: Petitioners/Accused 1 to 3

-VS-

1.State Rep by,
The Inspector of Police,
Fort All Police Station,
Trichy
(Crime No.7 of 2013)

2.Karthikeyeni Vasudevan
S/o.Vasudevan Ramasamy
A1, II floor, Sridevi Apartments
E.B.Road, Trichy

: Respondents/Complainant

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to call for the entire records of chargesheet in C.C.No.61 of 2014 on the file of the learned Additional Mahila Court, Trichy and quash the same.

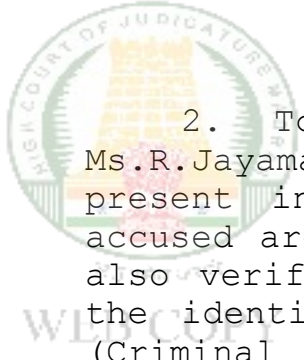
For Petitioners : Mr. K.Gokul

For Respondent No.1 : Mr.A.P.Balasubramani
Government Advocate (Cr1.side)

For Respondent No.2 : Mr.T.Senthilkumar

O R D E R

On the complaint lodged by one Karthikeyeni Vasudevan/ 2nd respondent, the first respondent police registered a case in Crime No.7 of 2013 for offences under Sections 498(A), 406 & 506(i) of the Indian Penal Code and on completing the investigation, the respondent police have filed a chargesheet in C.C.No.61/2014, against the petitioners, challenging which, the accused and the defacto complainant are before this Court for quashing the chargesheet against the petitioners on the ground that they have arrived at a compromise.



2. Today, when the matter is taken up for hearing, Ms.R.Jayamani, All Women Police Station, Trichy District, is present in Court. The defacto complainant is present and the accused are also present. The identifications of the accused 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.R.Jayamani, All Women Police Station, Trichy District.

3. The petitioners and the second respondent have filed an affidavit along with a joint compromise memo dated 27.03.2017, in which, it has been stated as follows:

"1.It is submitted that the 2nd respondent lodged a complaint before the 1st respondent police and same was registered the case against the petitioners and laid chargesheet against them for an alleged offence under Section 498(A), 406 & 506(i) IPC and same is pending in C.C.No.61 of 2014 on the file of Additional Mahila Court, Trichy.

2.It is submitted that after intervention of elder members in their family both the petitioners and 2nd respondent compromise their issue between them through out of court. The petitioners agreed to pay a sum of Rs.10,00,000/- (Rupees ten lakhs only) to the 2nd respondent by the way of demand draft towards full and final settlement including permanent alimony.

3.The Respondent No.2 is not entitled to demand any more compensation/alimony directly or indirectly from the petitioners in any manner at any time except as mentioned in Clause 2 of this Agreement.

4.During pendency of the process, 2nd respondent filed divorce petition and same was allowed in H.M.O.P.No.265 of 2014 by Family Court, Trichy. It is submitted that the petitioners are also agreed to withdraw all the cases initiated against the 2nd respondent and her family members in view of settlement arrived between the petitioners and the 2nd respondent.

5.Further submitted that since all the issues are solved and compromised between the petitioners and 2nd respondent, both parties agreed that they have no claim against each other's and both of them undertakes that they will not initiate any civil or criminal proceedings against each other in future. Therefore, the 2nd respondent not interested in prosecuting the



case against the petitioners. Hence the above case may be quashed against the petitioners."

4. In view of the affidavit dated 27.03.2017, 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 FIR in C.C.No.61 of 2014 pending on the file of the Additional Mahila Court, Tiruchirappalli, in respect of all the accused are hereby quashed. The affidavit along with a compromise memo dated 27.03.2017 shall form part of this order.

5. The de-facto complainant also submitted that she has received Rs.10 lakhs through two Demand Drafts dated 22.03.2017 towards Rs.5 lakhs each drawn on Tamil Nadu Mercantile Bank and Indian Bank respectively.

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, the petitioners are directed to pay a sum of Rs.1,000/- (Rupees one thousand only) each (totally Rs.3,000/- Rupees Three thousand only), 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(RTI)

/True copy/

Sub Assistant Registrar

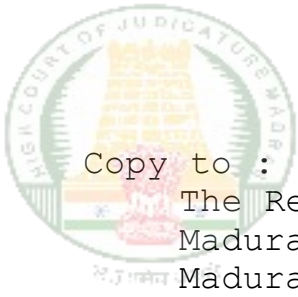
To:

Encl:Xerox copy of Compromise memo

1.The Additional Mahila Court,
Tiruchirappalli.

2.The Inspector of Police,
Fort All Police Station,
Trichy.

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



Copy to :

The Registrar (Administration)
Madurai Bench Of Madras High Court,
Madurai.

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+1 cc to Mr.T.Senthilkumar , Advocate in SR.No. 19057

+1 cc to Mr.K.Gokul , Advocate in SR.No. 50339

RR

AE/JC/SAR2/12.04.2017/4P/7C

Order made in
Cr1.O.P. (MD) No.3837 of 2017
Dated: 04.04.2017