



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CRL.O.P. (MD) No.3978 of 2017

- 1.Jaiganesh
- 2.Jeyarani
- 3.Shanmugapriya
- 4.Meenakshi
- 5.Kalpana

: Petitioners /Accused Nos.1 to 5

-Vs-

1. State through,
The Inspector of Police,
All Women Police Station,
Srivilliputhur,
Virudhunagar District.
Crime No.21 of 2015

: 1st Respondent/Complainant

2. Renu

: 2nd Respondent/Defacto Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code to call for the records in C.C.No.302 of 2016 on the file of the Learned Judicial Magistrate Court No.II, Srivilliputhur and quash the same.

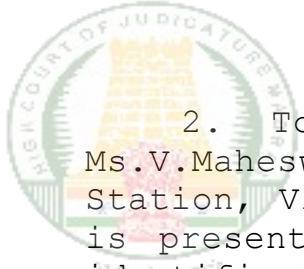
For Petitioners : Mr.R.Meenakumari

For Respondents : Mr.A.P.Balasubramani

Government Advocate (Crl.side)
for R.1

O R D E R

On the complaint lodged by second respondent, the first respondent police has registered a case in Crime No.21 of 2015 and after completing the investigation, has filed the final report in C.C. No.302 of 2016, before the learned Judicial Magistrate Court No.II, Srivilliputhur for the offences under Sections 498 (A), 406 and 506(i) and 109 I.P.C. against the petitioners herein, for quashing which, the petitioners and the *defacto* complainant are before this Court on the ground that they have arrived at a compromise.



2. Today, when the matter was taken up for hearing, Ms.V.Maheswari, Sub-Inspector of Police, Srivilliputhur Police Station, Virudhunagar District is present. The defacto complainant is present and all the other petitioners are 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.V.Maheswari, Sub-Inspector of Police, Srivilliputhur Police Station, Virudhunagar District.

3. The petitioners and the second respondent have filed a joint compromise memo dated 17.03.2017, wherein, it is stated as follows:

"6. I submit that the Petitioners preferred to quash the case in C.C.No.302 of 2016 on the file of the Learned Judicial Magistrate Court No.II, Srivilliputhur before this Hon'ble Court. At present we settled our matrimonial disputes in amicable manner and further we have come to understand that it is neither healthy nor useful to both of us to continue the fight of on fictitious reasons, it is better to give up. Both of us decided to live together in the matrimonial home.

7. I submit that I am ready to withdraw all the allegations leveled by me against the petitioners. In that regard I have come forward to file this petition seeking permission of this Hon'ble Court to compound the offences contemplated in Crime No.21 of 2015 on the file of the learned sheet in C.C.No.302 of 2016 on the file of the Learned Judicial Magistrate Court No.II, Srivilliputhur pending trial. Similarly I and the petitioners herein have filed Compromise Memo before this Hon'ble Court."

4. In view of the above, 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 Crime No. 21 of 2015 on the file of the first respondent police in respect of all the accused including those who are not before this Court are hereby quashed. The joint compromise memo dated 17.03.2017 shall form part of this order.

5. 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.

6. Accepting the submission, the petitioners are directed to pay a sum of Rs.500/- (Rupees Five Hundred only) **each**, 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 Seemai 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.

WEB COPY

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
All Women Police Station,
Srivilliputhur,
Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

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

+2cc to Mr.R.Meenakumari, Advocate Sr.No.50507

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vb/sv/mms/sar2/20.04.2017/3p/6c

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Dated: 06.04.2017