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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CRL.O.P. (MD) No. 4051 of 2017

1.S.Ibrahim
2.S.Aalima Beevi
3.Syed Sulthan
4.Noor Beevi
5.Kadharammal
6.Umar Sulthan : Petitioners / Accused Nos.1 to 6

-Vs-

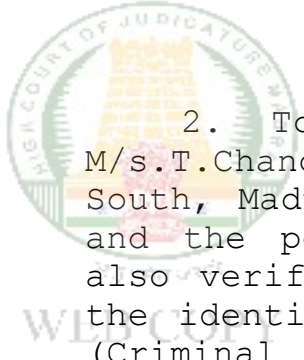
1.State through the Inspector of Police,
All Women Police Station, South,
Madurai City,
Madurai.
(In Cr.No.20 of 2011) : Respondent/ Complainant
2.Sikkandar Beevi : Respondent/ Defacto Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code to call for the records of Charge Sheet in CC No.214 of 2014 on the file of the Learned Additional Mahila Court, Madurai and quash the same as against the petitioners.

For Petitioners : Mr.S.M.A.Jinnah
For R1 : Mr..A.P.Balasubramani
Government Advocate (Crl. Side)
For R2 : Mr.S.Sheik Hussain

O R D E R

On the complaint lodged by one Sikkander Beevi, the first respondent police has registered a case in Cr.No.20 of 2011 for the offences under Sections 498(A), 323 of the Indian Penal Code and Section 4 of Dowry Prohibition Act and after completing the investigation filed the charge sheet in C.C.No.214 of 2014 before the learned Additional Mahila Court, Madurai for the offences under Sections 498(A), 323 of the Indian Penal Code and Section 4 of Dowry Prohibition Act 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, M/s.T.Chandra, Women Sub Inspector, All Women Police Station, South, Madurai City, Madurai is present. The defacto complainant and the 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 M/s.T.Chandra, Women Sub Inspector, All Women Police Station, South, Madurai City, Madurai.

3. The petitioners and the second respondent have filed a joint compromise memo dated 04.04.2017, wherein, it is stated as follows:

"5. It is submitted that the Petitioner No.1 is the husband, Petitioner No.2 is the mother in law, Respondent No.3 is the brother in law, Respondent No.4 is the wife of the Petitioner No.3, Respondent No.5 is the sister in law, and Respondent No.6 is the brother in law of the Defacto Complainant. Due to the family disputes the Respondent No.2 / Defacto Complainant lodged this complainant, now all the petitioners and Respondent No.2 settled their disputes amicably before their elders, family members and Jamath members, further the Defacto Complainant do not want to continue the criminal proceedings against the Petitioner.

6.It is submitted that in these circumstances the Petitioner is having no other alternative effective and efficacious remedy except to approach this Court by invoking the inherent power of the Court conferred under Section 482 of Cr.P.C. to quash the charge Sheet in Crime No.321 of 2014 on the file of the Learned Additional Mahila Court, Madurai.

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 CC No.214 of 2014 on the file of the Additional Mahila Court, Madurai in respect of all the accused including those who are not before this Court are hereby quashed. The joint compromise memo dated 04.04.2017 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 Seemai 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.

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/True Copy/

Sd/-

Assistant Registrar (CS-I)

Sub Assistant Registrar

To

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

AM/TSG

JS/RSK/SAR.3/16.05.2017/3P-5C

Order made in
CRL.O.P. (MD) No.4051 of 2017
Dated: 26.04.2017