



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2017

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

Crl.O.P.(MD) No.4481 of 2017

T.M.Vinothkumar

: Petitioner

-vs-

1. State through Inspector of Police,
All Woman Police Station,
Madurai City,
Madurai-625001.

2. R.C.Rathika,
D/o, R.S.K.Chandrasekar,
Plot No.83/1, Meenakshi Avenue,
No.137, Kamarajar Salai,
Madurai-625009.

: Respondents

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to quash the final report in C.C.No.276 of 2016 on the file of the Additional Mahila Court(JM Level), Madurai.

For Petitioner : Mr.S.Chandrasekaran

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

For Respondent No.2 : Mr.N.Sathish Babu

O R D E R

On the complaint lodged by one R.C.Rathika/ 2nd respondent, the respondent police registered a case in Crime No.20/2015 and on completing the investigation, a final report has been filed in C.C.No.276 of 2016 for offences under Sections 498(a) and 406 of the Indian Penal Code against the petitioner, challenging which, the accused and the *defacto* complainant are before this Court for quashing the final report against the petitioner on the ground that they have arrived at a compromise.



2. Today, when the matter is taken up for hearing, Ms. Shanthi, Special Sub Inspector of Police, All Woman Police Station, Madurai District, is present in Court. The defacto complainant is present and the accused is also present. The identification of the accused was 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. Shanthi, Special Sub Inspector of Police, All Woman Police Station, Madurai District. The learned counsel for the De-facto complainant submitted that she has no objection for the proceedings being quashed against the accused including her parents-in-law.

3. The petitioner and the second respondent have filed an affidavit along with a joint compromise memo dated 15.03.2017, in which, it has been stated as follows:

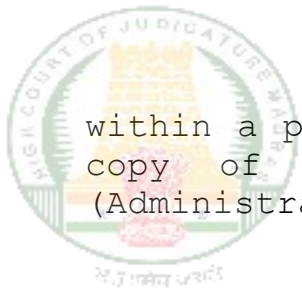
"The petitioner preferred this Memorandum of Criminal Original Petition praying to Quash the charge sheet in C.C.No.276 of 2016 pending on the file of the learned Additional Mahila Court, (JM Level) Madurai in view of the compromise entered with the De-facto complainant/the second respondent.

2. Now, both the parties are proceed with the negotiation and arrived at a compromise in respect the dispute pending with them. It is respectfully submitted that, the entire dispute arises out of a family dispute. Now, both the parties are entered into a compromise and accordingly settled the matter amicably and to that effect the petitioner and the second respondent entered in to a compromise memo."

4. In view of the affidavit dated 15.03.2017, 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 final report in C.C.No.276 of 2016 pending on the file of the Additional Mahila Court, (JM Level), Madurai in respect of all the accused is hereby quashed. The affidavit along with a compromise memo dated 15.03.2017 shall form part of this order.

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

6. Accepting the submission, the petitioner is directed to pay a sum of Rs.5,000/- (Rupees five 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.

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Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To:

1. The Additional Mahila Court (JM Level),
Madurai.
2. The Inspector of Police,
All Woman Police Station,
Madurai City,
Madurai-625001.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To:-

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

+ 1 CC TO Mr.N.SATHISH BABU, ADVOCATE IN SR No. 52915

MRN/RR
TE/MMS : 09/05/2017 : 3P/6C

Order made in
Crl.O.P. (MD) No.4481 of 2017
19.04.2017