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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P. (MD) No.5065 of 2017

Manohar : Petitioner / Sole Accused

-Vs-

1.State, represented by
The Inspector of Police,
Meignanapuram Police Station,
Thoothukudi district. : Respondent/ Complainant

2.R.Krubha gana Selvi : Respondent/ Defacto Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code to accept the compromise arrived at between both the Accused and the defacto complainant to compound the case pending in C.C.No.186 of 2015 on the file of the Learned Judicial Magistrate Court, Sathankulam in Cr.No.73 of 2015 on the file of the Meignanapuram Police Station, Thoothukudi district and quash the same as against the petitioners.

For Petitioners : Mr.N.Mohideen Basha

For R1 : K.Anbarasan
Government Advocate (Crl. Side)

For R2 : Mr.P.Chandrasekar

O R D E R

On the complaint lodged by one R.Krubha gana Selvi , the first respondent police has registered a case in Cr.No.73 of 2015 and the investigation has been completed and charge sheet has been filed in C.C.No. 186 of 2015 before the Judicial Magistrate Court, Sathankulam, under Sections, 294(b), 323, 506(ii) of the Indian Penal Code and 4 of the Tamil Nadu Women Harassment Act against the petitioner herein, for quashing which, the petitioner and the defacto complainant are before this Court on the ground that they have arrived at a compromise.



Police Station, Thoothukudi District is present. The *defacto* complainant and the petitioner 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.P.Thangeswaran, Special Sub-Inspector of Police, Meignanapuram Police Station, Thoothukudi District.

3. The petitioner and the second respondent have filed a joint compromise memo dated 17.04.2017, wherein, it is stated as follows:

"2. It is submitted that now this pending quash petition is preferred only on the ground of compromise and not on merits and both are husband and wife had sink their difference and had with the intervention of the elders of their family had settled the issue out the Court and therefore nothing lie between both parties.

3.It is most respectfully submitted that in view of the settlement arrived at between both parties, both parties pray indulgence of this Court for compounding the case and are filing this joint memo. And both parties pray for apology before this Court for the inconvenience caused to this Court and the same is neither willful not wanton.

4.It is submitted that the issue is between both parties and neither any public issue nor any public policy affecting the society at large is involved in this case.

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 C.C.No.186 of 2015, on the file of the Judicial Magistrate, Sathankulam in respect of accused. The joint compromise memo dated 17.04.2017 shall form part of this order.

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

6. Accepting the submission, the petitioner is directed to pay a sum of Rs.500/- (Rupees Five Hundred 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 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.

Sd/-

Assistant Registrar

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/True Copy/

Sub Assistant Registrar

To

- 1 The Registrar (Administration),
Madurai Bench of Madras High Court,
Madurai
2. The Inspector of Police,
Meignanapuram Police Station,
Thoothukudi district.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 4 The Bank Manager,
Indian Bank,
Madurai Bench of Madras High Court, Madurai

+1 cc to Mr.N.MOHIDEEN BASHA, Advocate SR.No. 53890

Order made in
CRL.O.P. (MD) No.5065 of 2017
Dated: 25.04.2017

SMA/CM-MSA/SAR-3/10.05.2017:3P/6C