



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.5092 of 2017

1. Joseph Anand
2. Jeyaraj
3. Jeyaseeli Rani
4. Joneya Florence
5. George Selvakumar
6. Edwin Karunakar

: Petitioners / accused Nos. 1 to 6

-Vs-

1. State, represented by
The Inspector of Police,
All Women Police Station,
Thallakulam, Madurai District.
(In Crime No. 8/2016)

: Respondent/ Complainant

2. Lawanya
- : Respondent/ Defacto Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code to call for the records relating to the FIR in Crime No.8 of 2016 on the file of the 1st respondent / complainant and quash the same.

For Petitioners : Mr.S.Siva Balan
For R1 : Mr.K.Anbarasan
Government Advocate (Crl. Side)
For R2 : Mr.R.Venkateswaran

O R D E R

On the complaint lodged by one Lawanya, the first respondent police has registered a case in Crime No.8 of 2016 under Sections 417, 498(A), 406, 294(b) and 506(i) of the Indian Penal Code and 4 of the Tamil nadu Prohibition of Women Harassment 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.C.Prabavathy, Sub-Inspector of Police, All Women Police Station, Tallakulam, Madurai District 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.C.Prabavathy, Sub-Inspector of Police, All Women Police Station, Tallakulam, Madurai District.

3. The petitioners and the second respondent have filed a joint compromise memo dated 20.04.2017, wherein, it is stated as follows:

"2. It is submitted that the accused No.1 and the defacto complainant married on 18.05.2015 as per Christian customs and rites. There arose a difference between them and the same could not resolved despite an intervention of elders. The defacto complainant lodged a complaint against the accused No.1 and other accused registered by the 1st respondent herein. Later the parties settled their dispute amicably. The defacto complainant got divorce and exchanged their belongings each other and there is no future claim among them in any manner and parties agreed not to pursue the complaints given by them. The parties are living peacefully after choosen their life on their own accord. In the said circumstances, the defacto compliant has consented to get the said case against the accused quashed and to this effect, the parties have entered into this joint compromise memo and in token thereof, the they have signed herewith. The same may be accepted by this Court and thus render justice."

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.8 of 2016 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 20.04.2017 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.

Sd/-

Assistant Registrar (AS)

WEB COPY

/True copy/

Sub Assistant Registrar

To

Encl:Xerox copy of Compromise memo

1.The Inspector of Police,
All Women Police Station,
Thallakulam, Madurai 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.

+1 cc to Mr.S.Sabbani Karpurajothi, Advocate in SR.No. 53862

am/tsg

AE/JC/10.05.2017/3P/5C

Order made in
CRL.O.P. (MD) No.5092 of 2017
Dated: 25.04.2017