



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2017

CORAM

WEB COPY

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

Crl.O.P.(MD) No.5350 of 2017

1.Shanmugapriya

2.Narayanaraj

3.Umarani

: Petitioners

-vs-

1.The Sub Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.
in Crime No.644 of 2016

2.Venkateswari

: Respondents

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to call for the records in C.C.No.13 of 2017 in Crime No.644 of 2016 on the file of learned Judicial Magistrate, Aruppukottai and quash the same.

For Petitioners : Mr.S.Muniyandi

For Respondent No.1 : Mr.T.Mohan

Addl. Public Prosecutor

For Respondent No.2 : Mr.M.Muthukumar

O R D E R

On the complaint lodged by one Venkateswari /2nd respondent, the first respondent police registered a case in Crime No.644 of 2016 for offences under Sections 452, 294(b), 323 and 506(i) of the Indian Penal Code and Section 4 of TNPHW Act on completing the investigation filed the chargesheet in C.C.No.13/2017 before the Judicial Magistrate, Aruppukottai against the petitioners, challenging which, the accused and the *defacto* complainant are before this Court for quashing the case in C.C.No.13/2017 against the petitioners on the ground that they have arrived at a compromise.

2. Today, when the matter is taken up for hearing, Mr.M.Varatharajan, Special Sub Inspector of Police, Aruppukottai Police Station, Virudhunagar District, is present in Court. The *defacto* complainant is present and the accused is also present and their identifications were also verified by this Court, in addition to the confirmation of the identity of the parties by the chargesheet. Addl. Public Prosecutor through Mr.M.Varatharajan, Special Sub Inspector of Police, Aruppukottai Town Police Station, Virudhunagar District.



3. The petitioners and the second respondent have filed a joint compromise memo dated 24.04.2017, in which, it has been stated as follows:

"3.It is submitted the 2nd respondent and the petitioners are family members. Due to intervention of village elders, the parties were entered into the compromise. In this circumstance, the 2nd respondent is not willing to proceed further against the petitioners before the 1st respondent police. The petitioner begot one male child and the 1st petitioner is residing along with her husband at marital home as husband and wife.

4.It is submitted that the parties are compromise between themselves and the case is pending for investigation on the file of the 1st respondent. All the offences are matrimonial dispute in nature. Under these circumstances, the FIR in Crime No.644 of 2016 dated 13.09.2016 may be quashed for welfare of the parties. The offences committed by the accused persons are simple in nature and if the respondent proceeded, the accused persons life and 2nd respondent's life would be affected."

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.13 of 2017, pending on the file of the respondent police in respect of all the accused are hereby quashed. The joint compromise memo dated 24.04.2017 shall form part of this order. However, all the petitioners are directed to pay a sum of Rs.5,000/- (Rupees Two Thousand five hundred only), to the M.S.Chellamuthu Trust and Research Foundation, No.643, K.K.Nagar, Madurai, within a period of two weeks from today.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To:

(*)JOINT COMPROMISE MEMO XEROX COPIES ARE ENCLOSED HEREWITH

1.The Judicial Magistrate, Aruppukottai.

2.The Sub Inspector of Police,

Aruppukottai Town Police Station, Virudhunagar District.

3.The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.

4.The M.S.Chellamuthu Trust and Research Foundation,

No.643, K.K.Nagar, Madurai

+One cc to Mr.S.Muniyandi, Advocate, SR.No.58421

RR

<https://hcservices.court.gov.in/csa/Ps/29/6/2017>

Order made in

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