



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2017

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED

Cr1.OP(MD)No.5338 of 2017

V.Venkatasubramanian : Petitioner / Accused

Vs.

1.The Inspector of Police,
Andipatti Police Station,
Madurai
Cr.No.601 of 2015

: 1st Respondent / Complainant

2.Parimala

: 2nd Respondent / Defacto
Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to call for the records in C.C.No.73 of 2016, pending trial on the file of the District Munsif cum Judicial Magistrate, Andipatti and quash the same.

For Petitioner : Mr.D.Vijayaragavan

For Respondent-1 : Mr.P.Kandasamy
Government Advocate (crl.side)

For Respondent-2 : Mr.M.Ayyappan

ORDER

This Criminal Original Petition is filed praying to call for the records in C.C.No.73 of 2016, pending trial on the file of the District Munsif-cum-Judicial Magistrate, Andipatti and quash the same.

2. The petitioner and the second respondent are present before this Court along with their respective counsels. The learned Government Advocate (crl.side) appearing for the first respondent is also present.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The first respondent has registered a case against the



petitioner in Crime No.601 of 2015, for the offences punishable under Sections 294(b) and 506 of IPC., and Section 4 of TNPWH Act, on the basis of the complaint given by the second respondent herein.

4. The learned counsel appearing for the petitioner would submit that at the time of preferring the complaint by the second respondent herein, the Petitioner and the second Respondent are husband and wife. The second respondent herein obtained a divorce decree in H.M.O.P.No.533 of 2016, as per order dated 03.02.2016 from the Family Court, Madurai. Now, both the parties entered into a compromise

5. The learned counsels appearing for the petitioner and the second respondent would submit that, since the parties have settled their disputes amicably, the defacto complainant, who is the second respondent herein, does not want to continue the criminal proceedings against the petitioner herein. Hence, the petitioner and the second respondent are seeking indulgence of this Court to record the compromise and to quash the C.C.No.73 of 2016, on the file of the learned District Munsif-cum-Judicial Magistrate, Andipatti.

6. The learned Government Advocate (crl.side) appearing for the 1st respondent states that he has no objection to record the compromise, since the parties to the proceedings compromised the issues between themselves.

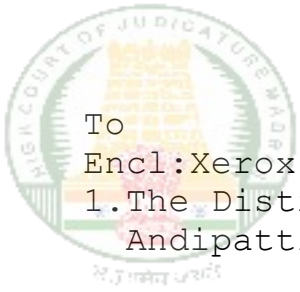
7. The Court heard the submissions of the respective parties, who appeared before this Court and their identification is also verified by their respective counsels. The learned counsels appearing on either side produced the Original Aadhaar Cards of the petitioner and the second respondent, before this Court, for their identification.

8. Since the parties have settled their disputes amicably and they have also filed a 'Joint Compromise Memo', dated 24.04.2017 to that effect, this Court is of the view that there is no need to keep the proceedings in C.C.No.73 of 2016, pending trial on the file of the District Munsif-cum-Judicial Magistrate, Andipatti

9. In the light of the compromise entered into between the parties, this Criminal Original Petition is allowed and the proceedings in C.C.No.73 of 2016, pending trial on the file of the District Munsif-cum-Judicial Magistrate, Andipatti, is hereby quashed. The 'Joint Compromise Memo', dated 24.04.2017, shall form part of the order.

Sd/-

Assistant Registrar(RTI)



To

Encl: Xerox copy of Compromise memo

1. The District Munsif cum Judicial Magistrate,
Andipatti.

2. The Inspector of Police,
Andipatti Police Station,
Madurai

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

MPK

AE/JC/10.05.2017/3P/4C

Cr1.OP(MD)No.5338 of 2017

Dated:-

28.04.2017