

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 28.04.2017**

WEB COPY

CORAM:**THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED****Crl.OP(MD)No.5453 of 2017**

1.Adlin Jacob
2.Thulasi Bai
3.Sweetlin Scania
4.Jones Rethinaraj : Petitioner / A1 to A4

Vs.

1.State Rep. By
The Inspector of Police,
All Women Police Station,
Kulachel,
Kanyakumari District.
(Crime No.17 of 2014) : 1st Respondent / Complainant
2.Rubia : 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.172 of 2015 on the file of the learned Judicial Magistrate Court, Eraniel, Kanyakumari District and quash the same.

For Petitioners : Mr.R.J.Karthick
For Respondent-1 : Mr.P.Kandasamy
Government Advocate (crl.side)
For Respondent-2 : Mr.S.Gladwin Oliver

ORDER

This Criminal Original Petition is filed praying to call for the records in C.C.No.172 of 2015 on the file of the learned Judicial Magistrate, Eraniel, Kanyakumari District and quash the same.

2. The petitioners 1, 2 and 4 and the second respondent are present before this Court along with their respective counsels. The 3rd petitioner is absent today. 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.17 of 2014, for the alleged offence under Sections 498(A), 406 and 420 of IPC., r/w. Sections 3, 4 and 6 of Dowry Prohibition Act, as per the complaint given by the second respondent herein.

4. The learned counsel appearing for the petitioners 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 petitioners herein. Hence, the petitioners and the second respondent are seeking indulgence of this Court to record the compromise and to quash the proceedings in C.C.No.172 of 2015 pending on the file of the learned Judicial Magistrate, Eraniel, Kanyakumari District.

5. 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 case compromised the issue between themselves.

6. The learned counsels appearing on either side produced the Original Aadhaar Card of the petitioners and the second respondent, for their identification. The 1st Petitioner's Aadhaar Card Number is, 6047 9614 2340; the 2nd Petitioner's Aadhaar Card Number is, 6761 2698 9642; the 4th Petitioner's Aadhaar Card Number is, 2151 4607 4117 and the 2nd Respondent's Aadhaar Card Number is, 7605 2116 8689.

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.

8. Since the parties have settled their disputes amicably and they have also filed a 'Joint Compromise Memo', dated 25.04.2017 to that effect, this Court is of the view that there is no need to keep the proceedings in C.C.No.172 of 2015 pending on the file of the learned Judicial Magistrate, Eraniel, Kanyakumari District.

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.172 of 2015 pending on the file of the learned Judicial Magistrate, Eraniel, Kanyakumari District, is quashed. The 'Joint Compromise Memo', dated 25.04.2017, shall form part of the order.

Sd/-
Assistant Registrar(Records)

/True Copy/



To

1.The Judicial Magistrate,
Eraniel, Kanyakumari District.

2.The Inspector of Police,
All Women Police Station,
Kulachel,
Kanyakumari District.

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

+1cc to M/s. R.J.KARTHICK Advocate in SR. NO.55255

MPK

JS/RKS/19.05.2017/3P-5C

Crl.OP(MD)No.5453 of 2017

Dated:-

28.04.2017