



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD)No.6077 of 2017

1.Nagarajan
2.K.Mani
3.M.Amudha

: Petitioners

-Vs-

1.State rep. by its,
Inspector of Police,
All Women Police Station,
Tirunelveli Town,
Tirunelveli,
In Crime No.18 of 2014.

2.I.Ramya

: Respondents

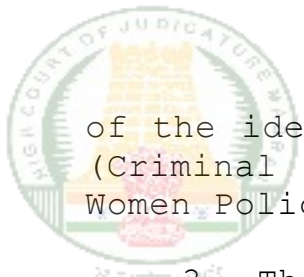
PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to call for the records pertaining to the proceedings in C.C.No.168 of 2015 on the file of the learned Judicial Magistrate No.IV, Tirunelveli and quash the same based on the compromise arrived between the first petitioner and the second respondent.

For Petitioners : Mr.P.Ganapathi Subramanian
For Respondent No.1 : Mr.K.Anbarasan,
Government Advocate (Crl.side)
For Respondent No.2 : Mr.R.Murugan

O R D E R

On the complaint lodged by Ramya, the first respondent police registered a case in Crime No.18 of 2014 and after completing the investigation, have filed a charge sheet in C.C.No.168 of 2015 before the learned Judicial Magistrate No.IV, Tirunelveli, for offence under Section 498(A) of the Indian Penal Code against Nagarajan (A-1), Mani (A-2), Amudha (A-3) and Karthikeyan (A-4). Since Karthikeyan (A-4) was abroad, a case against him was split up as C.C.No.251 of 2016. Since the parties have arrived at a compromise, they are before this Court with the present petition.

2. Today, when the matter was taken up for hearing, Ms.P.Sujarani, Woman Head Constable, All Women Police Station, Tirunelveli Town is present. The defacto complainant is present and the petitioners are also 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 Ms.P.Sujarani, Woman Head Constable, All Women Police Station, Tirunelveli Town.

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

"1. The Petitioners/Accused stands changed for an offence u/s 498(A) of IPC for the alleged offence said to have taken place on 13.08.2014 while the Defacto Complainant went to the house the petitioners/Accused.

2. The Petitioners/Accused further submitted that entire issue relates to the matrimonial dispute arose between the Defacto Complainant and the Accused Nagarajan.

3. The Petitioners/Accused further submitted that the 1st Accused Nagarajan along with the Defacto Complainant filed a petition for divorce on mutual grounds under section 13-B of the Hindu Marriages Act, 1955 before the Learned I Additional Family Court, Chennai in H.M.O.P.No.1236 of 2017 and it was posted on 05.10.2017. The entire family issue was settled amicably among the parties.

4. The Petitioners/Accused further submitted that the Defacto Complainant was not compelled or covered by anybody for compromise. The Defacto Complainant on her own volition filed this memo of compromise."

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 prosecution against all the four accused in C.C.No.168 of 2015 and C.C.No.251 of 2016 is hereby quashed. The joint compromise memo shall form part of this order. However, all the four accused are directed to pay a sum of Rs.5,000/- (Rupees Five Thousand only) totally to the Curator, Gandhi Museum, Madurai, within a period of two weeks from today.

Sd/-

Assistant Registrar(CS-III)

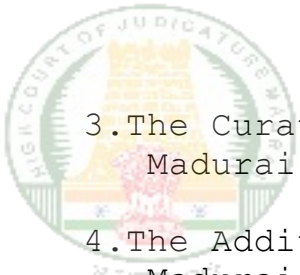
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Sub Assistant Registrar

To

1.The Judicial Magistrate No.IV,
Tirunelveli.

2.The Inspector of Police,
All Women Police Station,
Tirunelveli Town, Tirunelveli.



3.The Curator, Gandhi Museum,
Madurai.

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

+1cc to M/s. P.GANAPATHI SUBRAMANIAN Advocate in SR. No.58993
+1cc to M/s. R.MURUGAN Advocate in SR. No.58992

SML

JS/KP/SAR.3/13.6.2017/3P-7C

Order made in
CRL.O.P. (MD) No.6077 of 2017
Dated: **06.06.2017**