



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. (MD) No.7349 of 2017

1.Babu
2.Sekar

: Petitioners/Accused Nos.1 & 2
-vs-

1. The State
Rep. by Inspector of Police,
Naraikinaru Police Station,
Thoothukudi District. : Respondent No.1/Complainant
(Crime No.36 of 2016)
2. Vasuki : Respondent No.2/Defacto Complainant

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure, praying to quash the FIR in Crime No.36 of 2016, dated 10.12.2016 pending on the file of the 1st respondent police and pass any other order or direction as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.G.Thalaimutharasu
For 1st Respondent : Mr.K.Anbarasan for R1
Government Advocate (Cr1.side)
For 2nd Respondent : Mr.R.Amarnath

O R D E R

On the complaint lodged by the second respondent, the first respondent registered a case in Crime No.36 of 2016 under Sections 294(b) and 323 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 against the petitioners, to quash which, both parties are present before this Court on the ground that they have arrived at the compromise.

2.Today, when the matter was taken up for hearing, Mr.X.A.Jeya Pragash, Inspector of Police, Naraikinaru Police Station, Thoothukudi District, is present. Both parties are also present before this Court and their identifications were verified by this Court, in addition to the confirmation of the identity of the parties by the learned Government Advocate (Criminal side) through Mr.X.A.Jeya Pragash, Inspector of Police, Naraikinaru Police Station, Thoothukudi District.

3. The petitioners and the second respondent have filed a joint compromise memo dated 12.06.2017, duly signed by them and their respective counsel, wherein, they have stated as follows:



"2.The petitioners humbly submit that the 1st Respondent registered a case against the petitioners for the alleged offence u/s.294(b), 323 of IPC and Sec.4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 based on the complaint lodged by the 2nd respondent herein.

3.It is further submitted that after the above said occurrence, the petitioners and the 2nd Respondent compromised the issue. Under these circumstances the Petitioners as well as the 2nd respondent entered into compromise and hence the 2nd respondent not to pressed the criminal case pending against the Petitioners on the file of the 1st respondent and to that effect the joint compromise memo has been filed. Therefore this Court may be pleased to accept this compromise Memo and pass appropriate orders."

4.In view of the joint memo of compromise dated 12.06.2017, this Court is of the opinion that no useful purpose would be served in keeping the matter pending.

5.Accordingly, this Criminal Original Petition is allowed on the basis of the compromise entered into between the parties and the entire proceedings in Crime No.36 of 2016, on the file of the first respondent police are hereby quashed on condition that the petitioners and second respondent shall pay a sum of Rs.500/- (Rupees Five Hundred only) each as cost to Mahatma Gandhi Museum, Madurai, within a period of one week from the date of receipt of a copy of this order and file a memo in the Registry. The joint compromise memo dated 12.06.2017 shall form part of this order.

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

Encl : Xerox copy of Joint Compromise Memo

To:

1. The Inspector of Police,
Naraikinaru Police Station,
Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
3. The Mahatma Gandhi Museum, Madurai.

JIKR

PSM/SV-MMS/SAR4/22.06.2017/2P/4C