



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.06.2017

CORAM

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

WEB COPY

Crl.O.P.(MD) No.7521 of 2017

1.S.Anbu Packiaraj
2.K.V.Selvaraj
3.Amaravathi
4.Madankumar

: Petitioners

-vs-

1.The Inspector of Police,
All Women Police Station,
South Police Station
Madurai District

2.Thamilarasi

: Respondents

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to accept the memo and to quash the final report pending on the file of the Additional Mahila Court in C.C.No.167 of 2014.

For Petitioner :Mr.V.Angusamy
For Respondent No.1 :Mr.K.Anbarasan
Government Advocate (Crl. side)
For Respondent No.2 :Mr.A.Balaji

O R D E R

On the complaint lodged by one Thamilarasi/2nd respondent, the first respondent police registered a case in Crime No.5 of 2009 and after completing the investigation, has filed a final report in C.C.No.167 of 2014, before the learned Additional Mahila Court, for offences under Sections 498(A), 406 of the Indian Penal Code and Section 5 of Dowry Prohibition ACT against the petitioners, challenging which, the accused and the *defacto* complainant are before this Court for quashing the proceedings in C.C.No.167 of 2014 against the petitioners on the ground that they have arrived at a compromise.

2. Today, when the matter is taken up for hearing, Special Sub Inspector of Police, All Women Police Station, South Police Station, Madurai, is present in Court. The *defacto* complainant is present and the accused 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 the Special Sub Inspector of Police, All Women Police Station, Madurai.



3. The petitioner and the second respondent have filed a joint compromise memo dated nil.04.2017, in which, it has been stated as follows:

"2.It is submitted that the 2nd respondent got a divorcee decree against the 1st petitioner by order dated 11.10.2013 in O.P.No.1335 of 2010 on the file of the 3rd Additional family Court, Chennai. In between, the 1st respondent investigated the above case and filed a final report dated 20.10.2009 and the same was taken on file by the Additional Mahila Court, Madurai in C.C.No.167 of 2014. Subsequently, the 2nd respondent also got married another man and leading a peaceful life.

3.Now, the petitioners and the 2nd respondent are advised by the elderly persons to resolve the issue by compromise. The offences involved in this crime are not serious. As the implication of the penal provisions in the final report is non compoundable in nature, the petitioners and the 2nd respondent approaching this Hon'ble Court to quash the final report under Section 482 of Cr.P.C."

4. In view of the joint compromise memo dated nil.04.2017, 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.167 of 2014, pending on the file of the learned Additional Mahila court, Madurai, in respect of all the accused, including the accused, who are not before this Court, are hereby quashed. The joint compromise memo dated nil.04.2017 shall form part of this order. However, the petitioners are directed to pay a sum of Rs.500/- (Rupees five hundred only) each, to the Curator, Gandhi Museum, Madurai, within a period of two weeks from today.

Sd/-

Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar

Encl: Copy of Joint Compramise memo.

To:

1.The Additional Mahila Court,
Madurai.

2.The Inspector of Police,
All Women Police Station,
South Police Station, Madurai.



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

Copy to:
The Curator,
Gandhi Museum,
Madurai.

Order made in
Crl.O.P.(MD) No.7521 of 2017
Dated: 21.06.2017

RR
KK/SKN RSK/SAR1/07.07.2017/3P-5C/