

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 15.06.2017

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH**Crl.O.P. (MD) No.852 of 2017****and****Crl.M.P. (MD) Nos.727 and 728 of 2017**

1.M.Maruthu Prabu
2.K.Manickam
3.M.Lakshmi

: Petitioners/Accused Nos.1 to 3

-vs-

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

(Crime No.174 of 2014) : 1st Respondent/Complainant

2.J.A.Chithira

: 2nd Respondent/Defacto Complainant

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure, praying to call for the records pertaining to the Charge Sheet in C.C.No.38 of 2016 on the file of the Additional Mahila Court (Judicial Magistrate level), Madurai District in Crime No.174 of 2014 dated 16.12.2014 on the file of the Respondent No.1 and quash the same as illegal.

For Petitioners : Mr.T.Lajapathi Roy

For Respondents : Mr.K.Anbarasan,

Government Advocate (Crl.side)

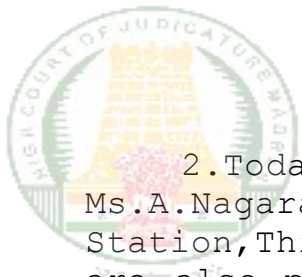
For R1

: Mr.Babu Rajendran

For R2

O R D E R

On the complaint lodged by the second respondent, the first respondent registered a case in Crime No.174 of 2014 under Sections 498(A), 294(b) and 506(i) of the Indian Penal Code against the petitioners and after completing investigation, have filed charge sheet in C.C.No.38 of 2016 before the learned Additional Mahila Court (Judicial Magistrate Level), Madurai, quashing 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, Ms.A.Nagarani, Sub-Inspector of Police, All Women Police Station, Thiruparankundram, Madurai City, 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 Ms.A.Nagarani, Sub-Inspector of Police, All Women Police Station, Thiruparankundram, Madurai City.

4. The petitioners and the second respondent have filed a joint compromise memo dated 28.04.2017, wherein, they have stated as follows:

"2.It is respectfully submitted that subsequent to the charge sheet as against the first petitioner and his family members at the instance of elders of both family and friends both parties have resolved our differences amicably and settled the entire matter in the presence of elders. The first petitioner as well as the defacto complainant entered into the compromise agreement and the defacto complainant has received a sum of Rs.3,00,000/- for permanent alimony for her and she has no further claim against the first petitioner in any forum and the second respondent will grant her consent for divorce and also co-operate all legal further proceedings in H.M.O.P.No.675 of 2015 on the file of Family Court at Madurai which was filed by the first petitioner. Now both parties don't want to proceed the matter further. The defacto complainant is not interested in prosecuting the petitioner further. Hence, the defacto complainant has no objection in allowing the above quash petition since the matter has been amicably settled between both.

3.It is therefore prayed that this Court may be pleased to allow the CrI.O.P.No.852 of 2017 on the file of the Court.

5.In view of the joint memo of compromise dated 28.04.2017, this Court is of the opinion that no useful purpose would be served in keeping the matter pending.

6.Accordingly, this Criminal Original Petition is allowed on the basis of the compromise entered into between the parties and the entire proceedings in C.C.No.38 of 2016 on the file of the Additional Mahila Court (Judicial Magistrate level), Madurai District are hereby quashed on condition that the petitioners shall pay a sum of Rs.1,000/- (Rupees One Thousand only) as cost to the Chellamuthu Trust, K.K.Nager, 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 28.04.2017 shall form part of this order. Consequently, the connected Miscellaneous Petitions are closed.

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Sd/-
Assistant Registrar(RTI)

Sub Assistant Registrar

To:

- 1.The Additional Mahila Court (Judicial Magistrate level),
Madurai District.
- 2.The Inspector of Police,
All Women Police Station,
Thiruparankundram,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S. BABU RAJENDRAN, Advocate, SR.No.60340.

+1cc to M/S. R.LAJAPATHI RAY, Advocate, SR.No.60627.

Order made in
Crl.O.P.(MD) No.852 of 2017
15.06.2017

rmk/ssl

SDS/SV:MMS/SAR 1/23.06.2017/3P/6C