



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.8522 of 2017

- 1.PL.Palaniappan @ Saravanan
- 2.Pualavar.PL.Planippan
- 3.PL.Umayal

... Petitioners/Accused No.1 to 3

-vs-

1. The State represented by the
Inspector of Police,
All Women Police Station,
Karaikudi,
Sivagangai District.

... 1st Respondent/Complainant

2. PL.Seetha

... 2nd Respondent/De-facto
Complainant

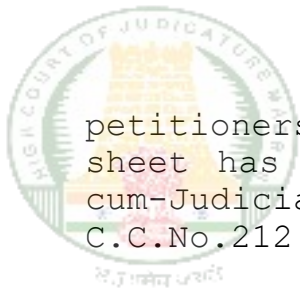
Prayer: Petition filed under Section 482 of Code of Criminal Procedure to call for the records relating to Charge sheet in C.C.No.212 of 2016 on the file of the Learned Principal District Munsif-Cum-Judicial Magistrate, Karaikudi and quash the same.

For Petitioners	:	Mr.S.Ravi
For R1	:	Mr.K.Anbarasan Government Advocate(Crl.side)
For R2	:	Mr.VR.Shanmuganathan

ORDER

This petition has been filed seeking to quash the charge sheet in in C.C.No.212 of 2016 on the file of the Learned Principal District Munsif-Cum-Judicial Magistrate, Karaikudi, pursuant to the amicable settlement effected between the parties.

2.The first petitioner is the husband of the defacto complainant and the petitioners 2 and 3 are the father and mother of the first petitioner. It appears that pursuant to dispute between the husband and wife, namely the first petitioner and the defacto complainant, a criminal case was registered in Crime No.9 of 2016 for the alleged offences under Sections 498(A), 494 IPC and Section 4 of Tamilnadu Prevention of Women Harassment Act against the



petitioners/A1 to A3. After completion of investigation, charge sheet has been laid before the learned Principal District Munsif-cum-Judicial Magistrate, Karaikudi and the same was taken on file in C.C.No.212 of 2016.

3. It is submitted that after filing of charge sheet, the parties have entered into compromise at the intervention of the elders and relatives. They have filed a compromise memo dated 04.07.2017 duly stating that since the parties have arrived at an amicable settlement by way of compromise among themselves, the second respondent has agreed to quash criminal proceedings in C.C.No.212 of 2016 pending on the file of the learned Principal District Munsif-cum-Judicial Magistrate, Karaikudi.

4. When the matter is taken up for hearing, the petitioners/A1 to A3 and the second respondent, appeared in person and they have submitted that they have signed in the compromise memo out of their own will and volition. The identifications of the parties, who signed in the compromise memo, were also verified by this Court through Identity Cards and Adhar Cards. Apart from that, identity of parties are confirmed by the learned Government Advocate (Crl.side) through the respondent police.

5. Considering the nature of allegations and in view of joint memo of compromise dated 04.07.2017, this Court is of the opinion that no useful purpose would be served in keeping the proceeding pending. Therefore, criminal proceeding in C.C.No.212 of 2016 pending on the file of the learned Principal District Munsif-cum-Judicial Magistrate, Karaikudi., in respect of the petitioner/A1 is hereby quashed. Since the criminal case was also filed against other family members of the husband, the defacto complainant has no objection for quashing the charge sheet in respect of them also. In view of the same, criminal proceeding in C.C.No.212 of 2016 pending on the file of the learned Principal District Munsif-cum-Judicial Magistrate, Karaikudi, in respect of the family members of the first petitioner is also quashed.

6. Accordingly, this Criminal Original Petition is allowed on the basis of the compromise entered into between the parties. The joint compromise memo dated 04.07.2017 shall form part of this order.

Sd/-
Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar



To:

1. The Principal District Munsif-Cum-Judicial Magistrate,
Karaikudi
2. The Inspector of Police,
All Women Police Station,
Karaikudi, Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.J.ANANDKUMAR, ADVOCATE IN SR No. 63865

CM/GSP

TE/MR/SAR-I : 14/07/2017 : 3P/5C

Cr1.O.P.(MD) No.8522 of 2017
06.07.2017