



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.10.2017

CORAM :

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THE HONOURABLE MR.JUSTICE S.S.SUNDARCRL.O.P (MD) No.22632 of 2016 and
CRL.M.P. (MD) No.11834 of 2016

1. Karthikeyababu
2. Pitchai
3. Banumathi
4. Rajkumar
5. Vaithegi @ Vaijaiyanthimala
6. Mageshwaran
7. Sivakamasundari ... Petitioners/Accused Nos.1 to 7

Vs.

State represented by its,

1. The Inspector of Police,
All Women Police Station,
Paramakudi,
Ramanathapuram District.
(Crime No.8 of 2016) ... Respondent / Respondent

2. Maheswari ... Respondent/De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to the First Information Report in Crime No.8 of 2016 on the file of the first respondent and to quash the same.

For Petitioners : Mr.M.Subash Babu

For R-1 : Mr.K.S.Durai Pandiyan,
Additional Public Prosecutor.

For R-2 : Mr.R.Maheswaran

O R D E R

This Criminal Original petition is filed for quashing the First Information Report in Crime No.8 of 2016 on the file of the first respondent.

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2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent.

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3. The petitioners are the accused Nos.1 to 7 in Crime No.8 of 2016 on the file of the first respondent police. On the basis of the complaint lodged by the second respondent/de-facto complainant, a case was registered in Crime No.8 of 2016, dated 09.06.2016, for the offences under Sections 417, 498(A), 495 of I.P.C., and Section 4 of Dowry Prohibition Act, 1961.

4. It appears that the parties, namely, the petitioners and the second respondent have settled their dispute amicably out of Court, on the advise of the family members and elders. The parties also have entered into a compromise. A Joint Compromise Memo, dated 04.10.2017, signed by the petitioners and the de-facto complainant in the presence of their respective counsels is produced before this Court. As per the Joint Compromise memo, the petitioners and the second respondent stated that their disputes have been amicably settled and that the second respondent has no objection for quashing the First Information Report in Crime No.8 of 2016 on the file of the first respondent.

5. The parties, namely, the petitioners and the second respondent appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own free will and volition. The identity of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identity of the parties are also confirmed by the learned Additional Public Prosecutor through the first respondent police.

6. Having regard to the specific terms of the Joint Compromise Memo, this Court is of the view that no useful or fruitful purpose will be served by keeping this matter pending. Hence, on the basis of the Joint Compromise Memo signed by the parties, the Criminal Original petition is allowed and the First Information Report in Crime No.8 of 2016 on the file of the first respondent, is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar(Writs)

/True Copy/



To
Encl: xerox copy of Compromise memo

1. The Judicial Magistrate,
Thiruvadanai, Ramanathapuram District.
2. The Inspector of Police,
All Women Police Station,
Paramakudi,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 cc TO Mr.M.Subash Babu , Advocate in SR No. 82405

pmu
AE/GT/SAR1/30.10.2017/3P/5C

CRL OP(MD)No.22632 of 2016
11.10.2017