



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDARCrl.O.P.(MD) No.9333 of 2017

WEB COPY

1.Sathishkumar

2.Sugumar

3.Karuppasamy

... Petitioners/Accused Nos.1 to 3

-Vs-

1.The State through,
The Inspector of Police,
Thalavaipuram Police Station,
Virudhunagar District.

... Respondent No.1/Complainant

2. Rani

... Respondent No.2/Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to call for the records connected with the case in C.C.No.91 of 2016 on the file of the learned Judicial Magistrate, Rajapalayam and quash the same as illegal.

For Petitioners : Mr.R.Alagumani

For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.side).

For R-2 : Mr.R.Rajaselvan

ORDER

This Criminal Original petition is filed for quashing the case in C.C.No.91 of 2016 on the file of the learned Judicial Magistrate, Rajapalayam.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Criminal side) appearing for the first respondent and learned counsel appearing for the second respondent.

3. The petitioners and the defacto complainant are relatives. On the basis of the complaint filed by the defacto complainant/second respondent herein, a case was registered against the petitioners in Crime No.564 of 2015, dated 01.11.2015, for the alleged offences punishable under Sections 294(b), 427 and 506(ii) of I.P.C. A Charge Sheet was also filed before the learned Judicial Magistrate, Rajapalayam, for the alleged offences under Sections 294(b), 427 and 506(ii) of I.P.C r/w Section 4 of TNHW Act (Tamil Nadu Prohibition of Harassment of Women Act).

<https://hcservices.ecourts.gov.in/hcservices/>

4.Pursuant to the filing of the charge sheet, it appears that



the dispute between the parties were amicably settled by the intervention of family members, relatives and elders. As a result, the defacto complainant agreed not to proceed with the criminal case against the petitioners.

5. A Joint Compromise Memo was signed by the both sides in the presence of their counsel. The parties appeared before this Court and expressed in unequivocal terms that they have signed in the 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 Government Advocate (Criminal side) through the first respondent police.

6. Having regard to the fact that the defacto complainant has specifically stated that no further action need to be taken against the petitioners, the criminal case in C.C.No.91 of 2016 can be quashed. This Court is of the view that no useful purpose will be served by keeping this matter pending. Hence, the Criminal Original petition is allowed and on the basis of the Compromise Memo signed by the parties concerned, the criminal case in C.C.No.91 of 2016 on the file of the learned Judicial Magistrate, Rajapalayam, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.I,
Kovilpatti.
- 2.-do-Thro' The Chief Judicial Magistrate,
Virudhunagar.
- 3.The Inspector of Police,
Thalavaipuram Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.R.ALAGUMANI Advocate in SR. No.66410

CP/PMU

JS/GT/SAR.1/1.8.2017/2P-6C

CrI.O.P.(MD) No.9333 of 2017

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