



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 28.07.2017
CORAM
THE HON'BLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.9809 of 2017

WEB COPY

1. Masana Muthuvel
2. Karthikeyan ... Petitioners/Accused Nos.1 and 2

-Vs-

1. The State of Tamilnadu represented by,
The Inspector of Police,
C4 Thilagar Thidal Police Station,
Madurai.
(In Crime No.221 of 2015) ... 1st Respondent/Complainant
2. Chitradevi ... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the proceedings in C.C.No.42 of 2016 on the file of the Additional Mahila Court Judicial Magistrate Level, Madurai, against Crime No.221 of 2015 pending on the file of the first respondent police and to quash the same as illegal.

For Petitioners : Mr.R.Babu Jaganath
For R-1 : Mr.C.Ramesh,
Additional Public Prosecutor.
For R-2 : Mr.M.Sankar

O R D E R

This Criminal Original petition is filed for quashing the criminal proceedings in C.C.No.42 of 2016 on the file of the Additional Mahila Court Judicial Magistrate Level, Madurai, against Crime No.221 of 2015 pending on the file of the first respondent police.

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.

3. Pursuant to the complaint received from the second respondent/defacto complainant, a case was registered against the petitioners by the first respondent in Crime No.221 of 2015 for the offence under Section 4 of Tamil Nadu Women Harassment Act. In pursuance of the registration of the First Information Report, a Charge Sheet was filed and taken on file in C.C.No.42 of 2016 on the file of the Additional Mahila Court Judicial Magistrate Level, Madurai.



4. Pursuant to the filing of the Charge Sheet, it appears that the petitioners who are the accused Nos.1 and 2 in the criminal case and the second respondent/defacto complainant have entered into a compromise, on the advise of the elders and well wishers. They have also signed the Compromise Memo, dated 17.07.2017 and produced before this Court. As per the Compromise Memo, the petitioners and the defacto complainant have settled their dispute amicably out of Court and it is further stated that the parties have no objection for allowing the quash petition.

5. The parties, namely, the petitioners and the second respondent/defacto complainant appeared today before this Court and expressed in unequivocal terms that the Compromise Memo signed by them was 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, the Criminal Original petition is allowed and on the basis of the Compromise Memo signed by the parties, the criminal case in C.C.No.42 of 2016 on the file of the Additional Mahila Court Judicial Magistrate Level, Madurai, is quashed in toto and the Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(AE)

/ True Copy /

Sub Assistant Registrar(C.S.)

To

Joint Compromise memo xerox copies are enclosed

1. The Judicial Magistrate, The Additional Mahila Court, Madurai.
2. The Inspector of Police,
C4 Thilagar Thidal Police Station, Madurai. (Crime No.221/15)
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.R.BABU JEGANATH, Advocate SR.No.68738

pmu

MAS/KP/SAR1:08.08.2017:2P-5C