



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP (MD) Nos.11472 & 16993 of 2017
and
CRL.M.P. (MD) No.7883 of 2017

CRL.O.P. (MD) No.11472 of 2017:

- | | |
|-----------------------|-------------------------------------|
| 1. M.Thirunavukkarasu | |
| 2. Navaneetham Achi | ... Petitioners/Accused Nos.6 and 7 |

Vs.

- | | |
|---|---|
| 1. The State represented by,
The Inspector of Police,
All Women Police Station,
Tallakulam, Madurai City.
(Crime No.29 of 2017) | ... Respondent /Complainant |
| 2. G.Saranya | ... Respondent/
De-facto Complainant |

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the entire records pertaining to the First Information Report in Crime No.29 of 2017 pending on the file of the Inspector of Police, All Women Police Station, Tallakulam, Madurai City and to quash the same as against the petitioners.

CRL.O.P. (MD) No.16993 of 2017:

- | | |
|------------------|------------------------------------|
| 1. G.Manickam | |
| 2. M.Ganasekaran | |
| 3. G.Sakundala | |
| 4. G.Yogalakshmi | |
| 5. Kalyanidevi | ... Petitioners/Accused Nos.1 to 5 |

**Vs.**

1. The State represented by,
The Inspector of Police,
A.W.P.S. Thallakulam Police Station,
Madurai City.
(Crime No.29 of 2017)

... Respondent /Respondent

2. G.Saranya

... Respondent/
De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the entire records pertaining to the First Information Report in Crime No.29 of 2017 pending on the file of the Inspector of Police, All Women Police Station, Thallakulam, Madurai City and to quash the same against the petitioners.

(in all Crl.O.Ps)

For Petitioners : Mr.R.Anand
For R-1 : Mr.K.S.Durai Pandiyan,
Additional Public Prosecutor.
For R-2 : Mr.Chandra Sekar

COMMON ORDER

Criminal Original petition in Crl.O.P.(MD)No.11472 of 2017 is filed for quashing the First Information Report in Crime No.29 of 2017 pending on the file of the Inspector of Police, All Women Police Station, Tallakulam, Madurai City and to quash the same as against the petitioners.

2. Criminal Original petition in Crl.O.P.(MD)No.16993 of 2017 is filed for quashing the First Information Report in Crime No.29 of 2017 pending on the file of the Inspector of Police, All Women Police Station, Thallakulam, Madurai City and to quash the same against the petitioners.

3. 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.

4. The petitioners in Crl.O.P.(MD)No.11472 of 2017 are accused Nos.6 and 7 and the petitioners in Crl.O.P.(MD)No.16993 of 2017 are accused Nos.1 to 5 in Crime No.29 of 2017 on the file of the first respondent police.

5. On the basis of the complaint lodged by the second respondent in both the cases, a case was registered as against the petitioners in both the above Criminal Original petitions in Crime



No.29 of 2017 for the alleged offences under Sections 498(A), 406 and 506(i) of I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002.

6. It appears that the parties, namely, the petitioners and the second respondent in both cases have settled their dispute amicably out of Court, at the intervention of the elders and relatives. The parties also have entered into a compromise. A Joint Compromise Memo, dated 29.11.2017, signed by the petitioners and the de-facto complainant in both cases in the presence of their respective counsels are produced before this Court.

7. It is further submitted that as per the Joint Compromise Memo, a sum of Rs.4,00,000/- is paid by the petitioners to the second respondent by way of Demand Draft and receipt of the same is also acknowledged by the defacto complainant. Apart from the payment of money, silver articles which were agreed to be handed over to the defacto complainant are also handed over today before this Court. As per the terms of the Joint Compromise memo, the defact complainant has agreed that the criminal complaint, namely, the First information Report in Crime No.29 of 2017 shall be quashed. There are other terms which are relating to withdrawal of the petition for divorce on mutual consent which is pending.

8. Today the parties, namely, the petitioners and the second respondent in both the cases appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memos 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.

9. 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 these matters pending. Hence, on the basis of the Joint Compromise Memo signed by the parties, the Criminal Original petitions are allowed and the First Information Report in Crime No.29 of 2017 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 (T&P)

/True Copy/

Sub Assistant Registrar



1. The Inspector of Police,
All Women Police Station,
Tallakulam, Madurai City.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.R.CHANDRASEKAR, ADVOCATE IN SR No. 92061

PMU

TE/SV-MMS/SAR-2 : 13/12/2017 : 4P/4C

CRL OP (MD) Nos.11472 & 16993 of 2017 and
CRL.M.P. (MD) No.7883 of 2017
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