



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:24.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)Nos.16278 & 10307 of 2017

and

CRL.MP(MD)Nos.7051, 9205 & 10684 of 2017

B.Backiyaraj

... Petitioner

in Crl.OP.No.16278 of 2017

1.P.M.Bose

2.B.Nagammal

3.P.Sasikala

4.Pandiyaraja

5.Libiya

... Petitioners/Accused No.2 to 6

in Crl.OP.No.10307 of 2017

-Vs-

1.State represented by the Inspector of Police,

All Women Police Station,

Thilagar Thidal,

Madurai.

(Crime No.19 of 2017)

2.Remuki

... Respondents

in both petitions

COMMON PRAYER: Criminal Original petitions are filed under Section 482 of Criminal Procedure Code, to call for the records in relating to the impugned FIR in Crime No.19 of 2017 on the file of first respondent Police and quash the same as against these petitioners.

For Petitioners : Mr.R.Ragavendran

in both petitions

For R1

: Mr.K.S.Durai Pandian, APP

in both petitions

For R2

: Mr.R.Suresh Kumar

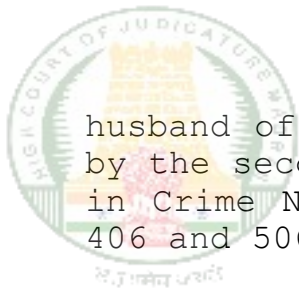
in both petitions

COMMON ORDER

The petitioners are the accused in Crime No.19 of 2017, on the file of the respondent police and the second respondent is the de-facto complainant.

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

2.The petitioner in Crl.O.P(MD)No.16278 of 2017 is the



husband of the de-facto complainant. Based on the complaint lodged by the second respondent/de-facto complainant, a case was registered in Crime No.19 of 2017 for alleged offences under Sections 498(A), 406 and 506 (i) I.P.C.

3.It appears that after registration of complaint, the petitioners and the second respondent in both cases have amicably settled their dispute and entered into a compromise. The petitioners and the second respondent in both the cases have produced before this Court a joint compromise memo, dated 18.11.2017 signed by the parties in the presence of their respective counsels. The petitioner in Crl.O.P(MD)No.16278 of 2017 has also filed a divorce petition in H.M.O.P.No.552 of 2017, which is pending before the Family Court, Madurai. As on date, it is stated that both are living together as husband and wife. As per the joint compromise memo, the de-facto complainant has agreed to withdraw the complaint and for quashing the F.I.R. in Crime No.19 of 2017 on the file of first respondent.

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

5.Having regard to the agreement made between the parties, this Court is of the view that no useful purpose will be served by keeping this matter pending. As per the Compromise Memo signed by the parties, the defacto complainant, namely, the second respondent has agreed to quash the proceedings even against the first accused. Hence, the criminal proceedings culminating in Crime No.19 of 2017 on the file of the first respondent police, is quashed in toto and the Joint Compromise Memo signed by the parties shall form part of the order.

6.Accordingly, the Criminal Original petition is allowed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

Encl:Xerox copy of Compromise Memo

1.The Inspector of Police,

All Women Police Station,

<https://hcservices.ecourts.gov.in/hcservices/>
Thilagar Thidal,

Madurai.



2.The Family Court,
Madurai.

SSS

JS/GT/SAR.4/18.12.2017/3P-3C

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