



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 07.02.2017

CORAM

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM
Crl.O.P.(MD) No.1755 of 2013
and
M.P.(MD) .Nos.1 and 2 of 2013

K.Poovanathan .. Petitioner/Sole accused

Vs

1.The Inspector of Police,
All Women Police Station,
Thirupparankundram,
Madurai District.
(Crime No.7/2012) .. Respondent/Complainant

2.M.Nagajothi .. Respondent/defacto
complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the case in C.C.No.4 of 2013, on the file of the learned Judicial Magistrate No.VI, Madurai and quash the same.

For Petitioner : Mr.S.Ramasamy

For R-1 : Mr.A.P.Balasubramani
Government Advocate (Crl. Side)

For R-2 : Mr. M.Giri

O R D E R

This petition has been filed to quash the case in C.C.No.4 of 2013, on the file of the learned Judicial Magistrate No.VI, Madurai.

2.Heard the learned counsel for the petitioner, the learned counsel for the second respondent and the learned Government Advocate (Crl. Side) for the first respondent and perused the materials available on record.

3. The learned counsel for the petitioner would submit that based on the complaint given by the second respondent/de facto complainant, originally a case has been registered against the Inspector of Police, All Women Police Station, Samayanallur, in Crime No.14 of 2011, for the offences under Sections 498(A) and 506(i) and Section 4 of TNPHW Act, and due to



want of jurisdiction, the case has been transferred to the first respondent herein and assigned new number as Crime No.7 of 2012 for the same offences and after filing final report by the first respondent herein, the same was taken on file as C.C.No.4 of 2013 by the learned Judicial Magistrate No.VI, Madurai. He further submitted that pending this quash petition, the trial Court has transferred the case in C.C.No.4 of 2013 to the learned Judge, Mahila Court, (Magisterial Level), Madurai and assigned new number as C.C.No.335 of 2014 and now the case is pending as C.C.No.335 of 2014.

4. When the matter is taken up for hearing today, both the petitioner as well as the second respondent are appeared in person and their identifications were also verified by this Court, in addition to the confirmation of the identity of the parties by the learned Government Advocate (Crl. Side) through the respondent police and they categorically made a statement that the dispute between them have been settled amicably. They also filed a joint memo of compromise dated 02.02.2017, duly signed by both parties and counter signed by their respective Counsel.

5. In view of the above, since the dispute between the parties was amicably settled out of Court, there is no necessity to keep this case pending. Accordingly, this Criminal Original Petition is allowed and the entire proceedings in Crime No.7 of 2012, for the offences under Sections 498(A) and 506(i) of IPC., and Section 4 of TNPHW Act, on the file of the first respondent and the consequential proceedings in C.C.No.335 of 2014, on the file of the learned learned Judge, Mahila Court, (Magisterial Level), Madurai, is hereby quashed. The joint memo of compromise shall form a part of this order. Consequently, connected miscellaneous petitions are dismissed.

Sd/-

Assistant Registrar(writs)

/True Copy/

Sub Assistant Registrar

To

1. The Mahila Court (Magisterial Level),
Madurai.

2. The Inspector of Police,
All Women Police Station,
Thirupparankundram,
Madurai.



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

+2cc to Mr.N.Giri Advocate sR.No.6634,6780

pjl

MAS-CM-MSA:27.02.2017:3p/6c

Crl.O.P. (MD) No.1755 of 2013
07.02.2017