

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2018

CORAM

THE HONOURABLE MR. JUSTICE P.RAJAMANICKAM

Cr1.O.P.No.22244 of 2018

1.S.Viswanathan
2.S.Annapoorni
3.S.Sellamuthu
4.Chinnavelu @ Devendaran
5.Dhanapakkiyam .. Petitioners
Vs.

1.The Inspector of Police,
All Women Police Station,
Bhavani, Erode District.
2.M.Sri Sudha .. Respondents

Criminal Original Petition filed under Section 482 of Criminal Procedure Code to call for the records pertaining to C.C.No.309 of 2012 on the file of the Judicial Magistrate, Bhavani and quash the same.

For Petitioners : Mr.M.Guruprasad
For Respondents : Ms.M.Prabhavathi,
Addl. Public Prosecutor for R1
Mr.P.Chandrakumar for R2

ORDER

Seeking to quash the case in C.C.No.309 of 2012 pending before the Judicial Magistrate, Bhavani, the present Criminal Original Petition has been filed.

2.Heard the learned counsel appearing for the petitioners, learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent.

3.The petitioners are Accused Nos.1 to 5. The first petitioner is the husband and the second respondent is the wife. The second respondent filed a petition in D.V.A.C.No.22 of 2014 under Sections 12, 19(8), 20(1)(b) and (d) and 22 of the Protection of Women from Domestic Violence Act and another petition in M.C.No.23 of 2014 under Section 125 Cr.P.C. Earlier, the second respondent preferred a complaint against the first

petitioner and based on the same, a case was registered for the offence under Sections 498A, 406, 506(i) I.P.C. r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.3 of 2012 and a charge sheet has been filed in C.C.No.309 of 2012 on the file of Judicial Magistrate, Bhavani.

4. It appears that the parties have agreed to settle the matter amicably and a Joint Memo of Compromise is also filed to that effect. The petitioners and the second respondent appeared before this Court and expressed in unequivocal terms that they have compromised the matter and signed in the Joint Memo of Compromise 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. The Joint Memo of Compromise dated 24.09.2018 stands recorded. The Criminal Original Petition is allowed. The proceedings against the petitioners herein in C.C.No.309 of 2012 on the file of the Judicial Magistrate, Bhavani, are quashed. The Joint Memo of Compromise dated 24.09.2018 shall form part of the order.

Xerox Copy of the Joint Memo of Compromise enclosed

Sd/-

Assistant Registrar(CS-IX)

//True copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
All Women Police Station,
Bhavani, Erode District.

2.The Judicial Magistrate, Bhavani.

3.The Public Prosecutor, High Court, Madras.

+1cc to Mr.M.Guruprasad, Advocate SR.No.66251

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SS(CO)
GMY(14/11/2018)