



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2018

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE P. RAJAMANICKAM

CrI.O.P.(MD) Nos.12494 and 15337 of 2014
and
M.P.(MD).Nos.1 & 2 of 2014
(In both petitions)

CrI.O.P.(MD) No.12494 of 2014

1.Caroline Getsy
2.Selvin @ Charles ...Petitioner/Accused Nos.3 & 4

-Vs-

1. The State represented by its,
The Inspector of Police,
All Women Police Station,
Alangulam,
Tirunelveli District.
(In Crime No.2 of 2012) ...1st Respondent/Complainant

2.R.Kiruba ... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records pertaining to the case in C.C.No.103 of 2014 on the file of the learned Judicial Magistrate, Tenkasi, Tirunelveli District and quash the same.

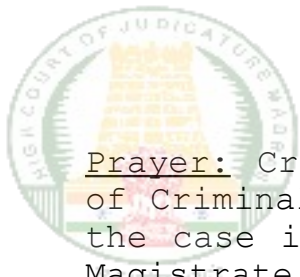
CrI.O.P.(MD) No.15337 of 2014

1.M.E.Michael
2.Packiathai Esra ...Petitioners/Accused Nos.1 & 2

-Vs-

1. The State represented by its,
The Inspector of Police,
All Women Police Station,
Alangulam,
Tirunelveli District.
(In Crime No.2 of 2012) ...1st Respondent/Complainant

2.R.Kiruba ... 2nd Respondent/De-facto
Complainant



Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records pertaining to the case in C.C.No.103 of 2014 on the file of the learned Judicial Magistrate, Tenkasi, Tirunelveli District and quash the same.

WEB COPY

In both Crl.O.Ps:

For Petitioners	: Mr.N.Sundaresan
For R-1	: Mr.O.P.G.Ohm Chairma Prabhu Government Advocate (Crl.Side)
For R-2	: Mr.S.Sukumar

COMMON ORDER

These Criminal Original petitions have been filed to quash the charge sheet in C.C.No.103 of 2014 on the file of the learned Judicial Magistrate, Tenkasi, Tirunelveli District.

2.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.side) appearing for the first respondent and the learned counsel appearing for the second respondent.

3.The petitioners in Crl.O.P(MD) No.12494 of 2014 are accused Nos.3 and 4 and the petitioners in Crl.O.P.(MD).No.15337 of 2014 are accused Nos.1 & 2 in Crime No.2 of 2012, on the file of the first respondent, Inspector of Police, All Women Police Station, Tirunelveli District. The second respondent in both the petitions is the defacto complainant in the above said crime number.

4.The complaint in Crime No.2 of 2012 was registered for the offences punishable under Sections 498(A) I.P.C and Section 4 of the Dowry Prohibition Act on the file of the first respondent police. The petitioners are arrayed as accused in the above said crime number. The first respondent has investigated the matter and filed the final report before the learned Judicial Magistrate, Tenkasi, Tirunelveli District against the accused.

5.It appears that at the advise of the elders and friends, the petitioners and second respondent in both the cases have already settled the matter before the Lok Adalath. A Joint Compromise Memo, dated 31.01.2018, is also filed to that effect. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent, in both the cases, has given her consent to quash the entire proceedings in C.C.No.103 of 2014, on the file of the learned Judicial Magistrate, Tenkasi in respect of these petitioners.

6.The parties appeared before this Court and expressed in unequivocal terms that they have signed in 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 Government Advocate through the first respondent police.

7. Having regard to the agreement made between the parties, this Court is of the view that no useful purpose will be served by keeping these matters pending. As per the Compromise Memo signed by the parties, the de-facto complainant, namely, the second respondent in both cases has agreed to quash the proceedings in C.C.No.103 of 2014, on the file of the learned Judicial Magistrate, Tenkasi. Hence the criminal proceedings in C.C.No.103 of 2014, on the file of the learned Judicial Magistrate, Tenkasi are quashed in respect of these petitioners and the Joint Compromise Memo signed by the parties shall form part of the order.

8. Accordingly, these Criminal Original petitions are allowed.

Sd/-
Assistant Registrar (AE)

/True Copy/

Sub-Assistant Registrar

(*) MEMO OF COMPROMISE XEROX COPY IS ENCLOSED HERewith

To

1. The Judicial Magistrate, Tenkasi,
Tirunelveli District.
2. The Inspector of Police,
All Women Police Station,
Alangulam,
Tirunelveli District.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr.S.Sukumar, Advocate, SR.No.47162
+3 ccs to Mr.N.Sundaresan, Advocate, SR.No.47368
+2 ccs to Mr.N.Sundaresan, Advocate, SR.No.47369

vs

RL/10C/3P/SV/MMS/SAR2/7/3/2018