



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **P.RAJAMANICKAM**

Crl.O.P.(MD) No.1387 of 2018

Praveen ...Petitioner / sole accused

-Vs-

1.The Inspector of Police,
All Women Police Station,
Karaikudi,
Sivagangai District.
(Crime No.14 of 2016)

... 1st Respondent/ Complainant

2.Sheela Silviya

... 2nd Respondent/ De facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records in C.C.No.210 of 2016 on the file of the learned Judicial Magistrate, Karaikudi, Sivagangai District and quash the same.

For Petitioner :Mr.K.N. Govardhanan

For R1 :Mr.Prabu Ramachandran
Government Advocate (Crl.side)

For R2 :Mr.S. Poorna Chandran

ORDER

The Criminal Original Petition has been filed to call for the entire records in C.C.No.210 of 2016, on the file of the learned Judicial Magistrate, Karaikudi, Sivagangai District and quash the same.

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

3. The petitioner is the sole accused in Crime No.14 of 2016. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 498-A, 323 of Cr.P.C. and Section 4 of Dowry Prohibition Act and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and charge sheet



also has been filed. Based on the said charge sheet, the learned Judicial Magistrate, Karaikudi has taken the case on file as C.C.No.210 of 2016 and the same is pending.

4. It appears that the petitioner and the second respondent, namely, the de-facto complainant have settled their dispute amicably out of Court and they have also entered into a compromise, on the advise of elders and their relatives. A Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, is also produced before this Court. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent, has no objection for quashing the proceedings in C.C.No.210 of 2016 on the file of the learned Judicial Magistrate, Karaikudi, Sivagangai District against the sole accused / petitioner herein.

5. The parties appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo 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 Government Advocate (Crl.side) through the first respondent police.

6. Having regard to the specific terms of the Joint Compromise Memo, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence the proceedings in C.C.No.210 of 2016 on the file of the learned Judicial Magistrate, Karaikudi, Sivagangai District, against the sole accused / petitioner herein, is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order.

7. Accordingly, the Criminal Original petition is allowed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

Encl: Xerox copy of Joint Compromise Memo
To

1. The Judicial Magistrate, Karaikudi,
Sivagangai District.

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

Sivagangai District.



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

+2cc to Mr.K.N. Govardhanan, Advocate Sr.No.45037

TRP

VB/JC/SAR4/13.02.2018/3P/6C

Cr1.O.P.(MD) No.1387 of 2018
30.01.2018