



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.2297 of 2018

- 1.Vijaya Kumar
- 2.S.Chandira
- 3.Arul Kalavathi
- 4.Shantha Devi
- 5.Banu Jeyarani

... Petitioners/
Accused Nos.1,3 to 6

-Vs-

1. State Represented by
The Inspector of Police,
All Women Police Station,
Srivaikundam,
Thoothukudi District.
(Crime No.1 of 2015)

... 1st Respondent/Complainant

2. B.Anbu Jothika

... 2nd Respondent/ Defacto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records and quash the charge sheet in C.C.No.364 of 2015 on the file of the learned Judicial Magistrate, Srivaikundam, Thoothukudi District pursuant to the compromise arrived at by the parties.

For Petitioners : Mr.A.Thiruvadikumar
For 1st Respondent : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.side)
For 2nd Respondent : Mr.S.Vinayak

ORDER

This Criminal Original Petition has been filed to call for the records and quash the charge sheet in C.C.No.364 of 2015 on the file of the learned Judicial Magistrate, Srivaikundam, Thoothukudi District, pursuant to the compromise arrived at by the parties.

2.Heard the learned counsel appearing for the petitioners,



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

3.The petitioners are accused Nos.1, 3 to 6 in Crime No.1 of 2015. Based on the complaint lodged by the second respondent, against the petitioners, the case was registered in Crime No.1 of 2015, on the file of the first respondent police, for the offences punishable under Sections 294(b), 498-A, 406, 494 and 506(ii) IPC. After filing the charge sheet, the case was taken on file in C.C.No.364 of 2015, by the learned Judicial Magistrate, Srivaikundam, Thoothukudi District.

4.It appears that on the advice of friends and elders, the parties have entered into compromise and a Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, is also filed. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has agreed to quash the Charge Sheet in C.C.No.364 of 2015 on the file of the learned Judicial Magistrate, Srivaikundam, Thoothukudi District.

5.The parties have 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 Charge Sheet in C.C.No.364 of 2015, on the file of the learned Judicial Magistrate, Srivaikundam, Thoothukudi District, is quashed in respect of the petitioners herein. 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

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo



To
1. The Inspector of Police,
All Women Police Station,
Srivaikundam,
Thoothukudi District.

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

+ 1 CC TO Mr.A.THIRUVADI KUMAR, ADVOCATE IN SR No. 48556

CP

TE/KKR/SAR-3 : 13/03/2018 : 3P/4C

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