



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.02.2018

CORAM

THE HONOURABLE MR. JUSTICE P. RAJAMANICKAM

Crl.O.P. (MD) No.2436 of 2018

1.S.Saravanan
2.Subburaman
3.Chellam

... Petitioners/Accused Nos.1 to 3

-Vs-

1. State represented by
The Inspector of Police,
All Women Police Station,
Devakottai, Sivagangai District.
(Crime No.6 of 2012)

... 1st Respondent/Complainant

2. Mullaikodi

... 2nd Respondent/ Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to accept Joint Compromise Memo and quash the charge sheet in C.C.No.31 of 2013 on the file of the learned Judicial Magistrate, Devakottai, Sivagangai District pursuant to the compromise arrived at by the parties.

For Petitioners	: Mr.A.Thiruvadi Kumar
For 1 st Respondent	: Mr.A.P.G.Ohm Chairma Prabhu Government Advocate (Crl.side)
For 2 nd Respondent	: Mr.K.P.Narayana Kumar

ORDER

This Criminal Original Petition has been filed to accept the Joint Compromise Memo and quash the charge sheet in C.C.No.31 of 2013 on the file of the learned Judicial Magistrate, Devakottai, Sivagangai 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 to 3 in Crime No.6 of 2012. Based on the complaint lodged by the second respondent, against the petitioners, the case was registered in Crime No.6 of 2012, on the file of the first respondent police, for the offences punishable under Sections 498-A, 406, 506(ii) IPC and Section 4 of Dowry Prohibition Act. After filing the charge sheet, the case was taken



on file in C.C.No.31 of 2013, by the learned Judicial Magistrate, Devakottai, Sivagangai 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.31 of 2013 on the file of the learned Judicial Magistrate, Devakottai, Sivagangai 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.31 of 2013, on the file of the learned Judicial Magistrate, Devakottai, Sivagangai District, 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 (CS-I)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To

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

+ 1 CC TO Mr.A.THIRUVADI KUMAR, ADVOCATE IN SR No. 49889
+ 1 CC TO Mr.K.P.NARAYANA KUMAR, ADVOCATE IN SR No. 50315

CP

TE/KKR/SAR-3 : 14/03/2018 : 2P/6C

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