



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2018

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WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.3218 of 2018

1.Rajaprabhu

2.Sureshkumar

3.Muthuramalingam

..Petitioners/ Accused Nos.1 to 3

-Vs-

1.The State Rep by

The Sub Inspector of Police,
Usilampatty Police Station,
Usilampatty,
Madurai District
(Cr.No.320/2014).

... 1st Respondent / Complainant

2.Mayan

... 2nd Respondent/ Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in S.C.No.29/2015 on the file of the District and Sessions Mahila Court, Madurai and quash the same.

For Petitioner : Mr.T.K.Gopalan

For Respondents : Mr.A.P.G.Ohm Chairma Prabhu (Crl.side)
Government Advocate (for R1)
Mr.B.PRAHALAD RAVI (for R2)

ORDER

The Criminal Original Petition has been filed to call for the records in S.C.No.29/2015 on the file of the District and Sessions Mahila Court, Madurai 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 accused Nos.1 to 3 in Crime No.320 of 2014. Based on the complaint lodged by the second respondent, a case was registered for the offence punishable under Sections 342, 294(b), 324, 307, 506(ii) IPC r/w 4 of TNPHW Act and charge sheet has also



been filed. Based on the said charge sheet the District and Sessions Mahila Court, Madurai, has taken the case on file as S.C.No.29 of 2015 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 S.C.No.29 of 2015 on the file of the District and Sessions Mahila Court, Madurai, against the accused Nos.1 to 3.

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 SC.No.29 of 2015 on the file of the District and Sessions Mahila Court, Madurai, against the accused Nos.1 to 3, is quashed. 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

Enclosure: Xerox Copy of Compromise Memo

To

1.The District and Sessions Judge (Mahila Court),
Madurai.

2.The Sub Inspector of Police,
Usilampatty Police Station,
Usilampatty,

<https://hcservices.ecourts.gov.in/hcservices/>
Madurai District



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

+1cc to M/S.T.K.Gopalan, Advocate SR.No. 57717
+1cc to M/S.B.PRAHALAD RAVI, Advocate SR.No. 57691

CRL.O.P. (MD) No.3218 of 2018
21.03.2018

rmk
JM/SKN RSK/SAR 2/18.04.2018/3P/6C