



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:07.03.2018
CORAM
THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Cr1.O.P.(MD) No. 3313 of 2018

WEB COPY

1.Karthik
2.Chandra
3.Sandanakumar
4.Nadiya
5.Madhavan

... Petitioners /A1 to A5

-Vs-

1.The State represented by
The Inspector of Police,
All Women Police Station,
Srivaigundam,
Thoothukudi District.
(Crime No.4 of 2016)

... 1st Respondent / Complainant

2.Annapushpam

... 2nd Respondent / De-facto complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the case in C.C.No.378 of 2016, on the file of the learned Judicial Magistrate, Srivaiguntam, Thoothukudi District and quash the same.

For Petitioners	: Mr.S.Mandhira Lingeswaran
For R-1	: Mr.A.P.G.Ohm Chairma Prabhu
	Government Advocate (Cr1. Side).
For R-2	: Mr.R.Ramachandran

O R D E R

This Criminal Original Petition has been filed to quash the case in C.C.No.378 of 2016, on the file of the learned Judicial Magistrate, Srivaiguntam, Thoothukudi District.

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

3.The petitioners are Accused Nos.1 to 5 in Cr.No.4 of 2016. Based on the complaint lodged by the second respondent, against the petitioners, the case was registered in Crime No.4 of 2016, on the file of the first respondent police, for the offences punishable under Sections 498(A), 406 and 506(ii) of I.P.C. and Section 4 of Dowry Prohibition Act. After filing the charge sheet, the case was taken on file in C.C.No.378 of 2016, by the learned Judicial Magistrate, Srivaiguntam, Thoothukudi District.



4.It appears that at 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 case in C.C.No.378 of 2016.

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 (Criminal 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 or fruitful purpose will be served by keeping this matter pending. Hence the case in C.C.No.378 of 2016, pending on the file of the learned Judicial Magistrate, Srivaiguntam, Thoothukudi District, is quashed in respect of these petitioners. 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(Crl. side)

/True Copy/

Sub Assistant Registrar

To

Enclosure: The Joint Compromise Memo (Xerox Copy)

1. The Judicial Magistrate,
Srivaiguntam, Thoothukudi District.

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

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

+1cc to M/S.S.Mandhira Lingeswaran, Advocate SR.No. 53982

Crl.O.P.(MD) No. 3313 of 2018

VS