



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

CRL.O.P.(MD)No.4766 of 2018

WEB COPY

1.Ashok Kumar

2.Suganya

: Petitioners / Accused Nos.1 & 6

-Vs-

1.The State rep. By its

The Inspector of Police,
All Women Police Station,
Ramanathapuram,
Ramanathapuram District.

(Crime No.20 of 2015)

: 1st Respondent/ Complainant

2.Balamalathy

: 2nd Respondent/Defacto

complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to quash the case in C.C.No.23 of 2016 on the file of the Judicial Magistrate Court No.I, Ramanathapuram, by accepting the Joint compromise memo, dated 20.03.2018.

For Petitioners

: Mr.D.Sasikumar

For R1

: Mr.K.Prabhu Ramachandran

Government Advocate (Crl. Side)

For R2

: Mr.K.Radhakrishnan

O R D E R

On the complaint lodged by one Balamalathy, the first respondent police has registered a case in Cr.No.20 of 2015 and the investigation has been completed and charge sheet has been filed in C.C.No.23 of 2016 before the Judicial Magistrate No.I, Ramanathapuram, under Sections, 498(A), 494, 294(b), r/w Section 4 of Tamil Nadu Women Harassment Act against the petitioners herein, for quashing which, the petitioners and the *defacto* complainant are before this Court on the ground that they have arrived at a compromise.

2. Today, when the matter was taken up for hearing, Inspector of Police, All Women Police Station, Ramanathapuram is present. The *defacto* complainant and the petitioners are present and their identifications were also verified by this Court, in addition to the confirmation of the identity of the parties by the learned Government Advocate (Criminal side) through Inspector of Police, All Women Police Station, Ramanathapuram.

3. The petitioners and the second respondent have filed a joint compromise memo dated 20.03.2018, wherein, it is stated as follows:



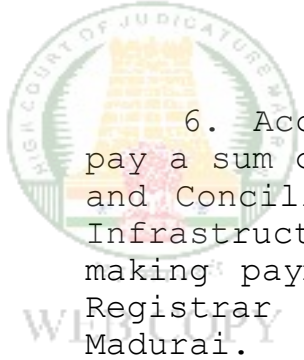
"1. It is submitted that the 2nd respondent/De-facto complainant and the 1st petitioner/Accused No.1 are husband and wife and 2nd petitioner/Accused No.6 is alleged 2nd wife of the 1st petitioner/Accused No.1 and due to matrimonial dispute, based on the criminal complaint of the 2nd respondent/Defacto complainant the 1st Respondent has registered a case in Crime No.20 of 2015 U/s.498(A), 494, 294(b) r/w Section 4 of Tamil Nadu Women Harassment Act against the petitioners/Accused No.1 & 6 and 6 others. Subsequently the 1st respondent has filed a Charge sheet under same sections and now the case is pending in C.C.No.23 of 2016 in C.C.No.23 of 2016 on the file of the Judicial Magistrate Court No.1, Ramanathapuram. Accused No.2 is mother of Accused No.1 and Accused No.3 to 5 and 8 are Sisters and their respective husbands. Out of 8 Accused above said 6 Accused (ie) A3 to A5, A7 & A8 were filed a quash petition in CrI.O.P(MD)No.6993 of 2017 along with this petitioners before this Hon'ble Court and vide order dated 18.08.2017, this Hon'ble Court has quashed the C.C.No.23 of 2016 on the file of the Judicial Magistrate Court NO.1, Ramanathapuram in so far as said Accused are concerned. Now the petitioners/Accused No.1 & 6 and the 2nd respondent are compromised.

2.It is submitted that since the petitioners and 2nd respondent are compromised, the petitioners are filing this Quash petition along with this Joint compromise memo. The 2nd Respondent/De-facto complainant has no objection, in the event of quashing the case in C.C.No.23 of 2016 on the file of the Judicial Magistrate Court No.1, Ramanathapuram, by this Hon'ble Court.

It is therefore prayed that this Honourable Court may be pleased to accept this Joint Compromise Memo filed for C.C.no.23 of 2016 on the file of the Judicial Magistrate Court No.I, Ramanathapuram and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice."

4. In view of the above, this Court is of the opinion that no useful purpose would be served in keeping the matter pending. Therefore, this petition is allowed and the entire proceedings in C.C.No.23 of 2016, on the file of the Judicial Magistrate No.I, Ramanathapuram, in respect of accused Nos.1 & 6 is quashed. The joint compromise memo dated 20.03.2018 shall form part of this order.

5. At the instance of the learned counsel for the petitioners, the petitioners themselves voluntarily came forward to contribute some amount to the Mediation and Conciliation Centre attached to this Bench.



6. Accepting the submission, the petitioners are directed to pay a sum of Rs.1000/- (Rupees Thousand only), each to the Mediation and Conciliation Centre attached to this Bench, under the head of Infrastructure funds, within a period of two weeks from today. After making payment, a copy of the challan shall be furnished to the Registrar (Administration), Madurai Bench of Madras High Court, Madurai.

Sd/
Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

Encl:Xerox Copy of Joint compromise Memo.

To

1. The Judicial Magistrate No.I,
Ramanathapuram.
- 2.The Inspector of Police,
All Women Police Station,
Ramanathapuram,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:
The Registrar(Administration),
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.D.Sasikumar, Advocate, SR.No. 61104

CRL.O.P.(MD) No.4766 of 2018
Dated: 12.04.2018

AM
KK/SV MMS/28.04.2018/SAR-4/3P-6C