



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2018

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WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.791 of 2018

1.Kaliraj
2.Maheswaran
3.Ganesh Kumar

..Petitioners/ Accused Nos.1, 2 & 4

-Vs-

1.State Represented by
The Inspector of Police,
Irukkankudi Police Station,
Irukkankudi,
Virudhunagar District.
(Cr.No.155 of 2014)

... Respondent No.1/ Complainant

2.Kalaiselvi

... Respondent No.2/ Defacto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in C.C.No.1 of 2016 on the file of the Judicial Magistrate No.II, Sattur and quash the same.

For Petitioners	:M/s.P.Banuprasath
For Respondents	:Mr.A.P.G.Ohm Chairma Prabhu
	Government Advocate (Crl.side)
	for R1
	:Mr.K.Seemaraj
	For R2

ORDER

The Criminal Original Petition has been filed to call for the records in C.C.No.1 of 2016 on the file of the Judicial Magistrate No.II, Sattur and quash the same.

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. 1,2 & 4 in Crime No.155 of 2014. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 294 (b), 323, 306 (1) IPC r/w 4 of TamilNadu Prohibition of Women Harassment Act and charge sheet also has been filed. Based on the said charge



sheet the learned Judicial Magistrate No.II, Sattur has taken the case on tile as C.C.No.1 of 2016 and the same is pending.

4.It appears that the petitioners 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 C.C.No.1 of 2016 on the file of the Judicial Magistrate No.II, Sattur.

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 (CrI.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 C.C.No.1 of 2016 on the file of the Judicial Magistrate No.II, Sattur, 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

Herewith enclosed the xerox copy of Joint Compromise Memo

To

1.The Judicial Magistrate No.II, Sattur.

2.The Inspector of Police, Irukkankudi Police Station,
Irukkankudi, Virudhunagar District.

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

+1CC to M/s.P.Babn Prasath, Advocate, SR.No. 44278

CrI.O.P.(MD) No.791 of 2018

23.01.2018

rmk

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

AM/SV MMS/SAR 4/09.02.2018/2P/5C