



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2018

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**THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM**

Crl.O.P.(MD) No.849 of 2018  
and  
CRL MP (MD) Nos.376 & 377 of 2018

1.Kailasam  
2.Lalitha  
3.Nithya @ Nithyalakshmi  
4.Poornima  
5.V.Ramasamy

... Petitioners/Respondents 2 to 6

-Vs-

B.Prathili Bala

... Respondent/Petitioner

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records in connection with the case in D.V.C.No.119 of 2017 pending on the file of the learned Judicial Magistrate/Additional Mahila Court, Tiruchirappalli and quash the same.

For Petitioners : Mr.N.Sathish Babu

For Respondent : M/s.Amuthakavi

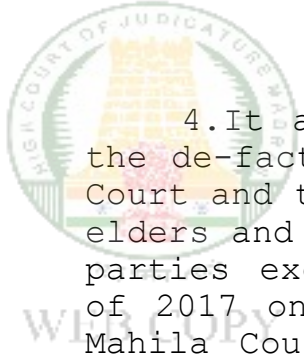
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ORDER

This Criminal Original Petition has been filed to call for records in connection with the case in D.V.C.No.119 of 2017 pending on the file of the learned Judicial Magistrate/Additional Mahila Court, Tiruchirappalli and quash the same.

2.Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the respondent.

3.The petitioners are respondents 2 to 6 in D.V.C.No.119 of 2017. Based on the application filed by the first respondent, under Section 12 of the protection of Women from Domestic Violence Act 2005, The Judicial Magistrate/Additional Mahila Court, Tiruchirappalli has taken the case on file in DVC No.119 of 2017.



4.It appears that the petitioners and the 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 except one Mr.Amuthabalan/first respondent in D.V.C.No.119 of 2017 on the file of the learned Judicial Magistrate/Additional Mahila Court, Tiruchirappalli 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 respondent, has no objection for quashing the proceedings in D.V.C.No.119 of 2017 pending on the file of the learned Judicial Magistrate/Additional Mahila Court, Tiruchirappalli against the accused Nos.1 to 5 alone.

5.The parties are appeared before this Court and expressed in unequivocal terms that they have signed in 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 D.V.C.No.119 of 2017 pending on the file of the learned Judicial Magistrate/Additional Mahila Court, Tiruchirappalli against the accused Nos.2 to 6 alone, is quashed except one Mr.Amuthabalan/first respondent in D.V.C.No.119 of 2017 on the file of the learned Judicial Magistrate / Additional Mahila Court, Tiruchirappalli. The Joint Compromise Memo signed by the parties shall form part of the order.

7.Accordingly, the Criminal Original petition is allowed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

**(\*) JOINT COMPROMISE MEMO XEROX COPY IS ENCLOSED HEREWITH**

To

1.The learned Judicial Magistrate/ Additional Mahila Court,  
Tiruchirappalli.

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

+2ccs to Mr.N.Sathish Babu, Advocate, SR.No.51687

dss

RL/5C/2P/KK/SAR2/21/3/2018

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