



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2018

CORAM

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THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) Nos.2020 of 2015, 17651 of 2016 and
11946 of 2017
and

M.P.(MD)No.1 of 2015

Crl.M.P.(MD)No.8768 of 2016 and 8216 and 8217 of 2017

Crl.O.P.(MD) No.2020 of 2015

Pandiaraj

... Petitioner/Accused

-Vs-

1. The Inspector of Police,
All Women Police Station,
Nilakottai, Dindigul District.
In Crime No.25 of 2013.

...1st Respondent/Complainant

2.Tamilselvi

... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code
of Criminal Procedure, to call for the records in C.C.No.49 of 2014
on the file of the learned Judicial Magistrate, Nilakottai, Dindigul
District, quash the same in respect of the petitioner.

For Petitioner :Mr.R.Narayanan

For R-1 :Mr.O.P.G.Ohm Chairma Prabhu
Government Advocate

For R-2 :Mr.M.Vetrivelmurugan

Crl.O.P.(MD) No.17651 of 2016

Angammal

...Petitioner / 2nd Respondent

-Vs-

1. J.Tamilselvi

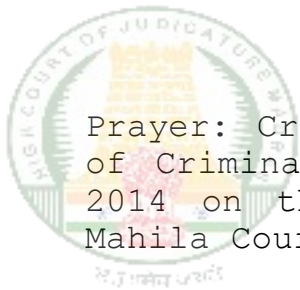
... Respondent / Petitioner

2.Pandiaraj

(R2 impleaded as per order of this Court
made in Crl.M.P.(MD)No.1186 of 2017 in

<https://hcservices.ecourts.gov.in/hcservices/>
Crl.O.P.(MD)No.17651 of 2016 dated
19.02.2018.

... 2nd Respondent



Prayer: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, to call for the records in M.C.No.184 of 2014 on the file of the learned Judicial Magistrate, Additional Mahila Court, Trichy, quash the same as against the petitioner.

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For Petitioner :Mr.R.Narayanan

For R-1 and R-2 :Mr.M.Vetrivelmurugan

Crl.O.P.(MD) No.11946 of 2017

1.Tamil Selvi

2.Jeyabalan

...Petitioners/Accused Nos.1 and 2

-Vs-

1. The State represented by,

Inspector of Police,

Pattiveeranpatti Police Station,

Nilakottai Taluk,

Dindigul District.

(Crime No.319 of 2013)

...1st Respondent/Complainant

2.C.Paniyaraj

... 2nd Respondent /De-facto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, to call for the records in connection with the impugned charge sheet in C.C.No.97 of 2017 on pending on the file of learned Judicial Magistrate, Nilakottai, Dindigul District and quash the same in so far as the petitioners are concerned.

For Petitioners :Mr.D.Selvaraj

For R-1

:Mr.O.P.G.Ohm Chairma Prabhu
Government Advocate

For R-2

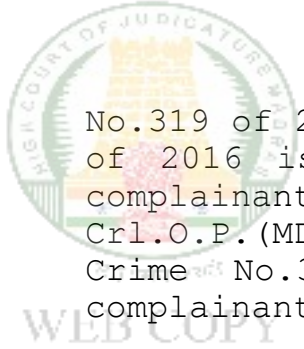
:Mr.R.Narayanan

COMMON ORDER

The Criminal Original petitions in Crl.O.P.(MD)Nos.2020 of 2015, 17651 of 2016 and 11946 of 2017 have been filed to quash in C.C.No.49 of 2014 on the file of the learned Judicial Magistrate, Nilakottai, Dindigul District, in M.C.No.184 of 2014 on the file of the learned Judicial Magistrate, Additional Mahila Court, Trichy and in C.C.No.97 of 2017 on pending on the file of learned Judicial Magistrate, Nilakottai, Dindigul District as against the petitioners.

2.Heard both sides.

3.The petitioner in Crl.O.P.(MD)No.2020 of 2015 is the first accused in Crime No.25 of 2013 and the defacto complainant in Crime



No.319 of 2013 and similarly the petitioner in CrI.O.P.(MD)No.17651 of 2016 is the accused in Crime No.25 of 2013 and defacto complainant in Crime No.319 of 2013 similarly the petitioners in CrI.O.P.(MD)No.11946 of 2017 are the first and second accused in Crime No.319 of 2013 and the first accused is the defacto complainant in Crime No.25 of 2013.

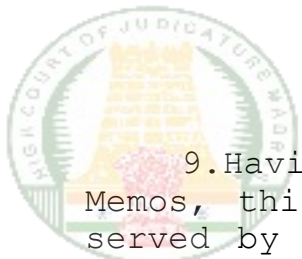
4.The petitioner in CrI.O.P.(MD) No.2020 of 2015 is the accused in Crime No.25 of 2013. Based on the complaint lodged by the second respondent, against the petitioner, the case was registered in Crime No.25 of 2013, on the file of the first respondent police, for the offences punishable under Sections 498 (A), 406 and 506(ii) I.P.C. After filing the charge sheet, the case was taken on file in C.C.No.49 of 2014, by the learned Judicial Magistrate, Nilakottai, Dindigul.

5.The petitioner in CrI.O.P.(MD) No.17651 of 2016 is the second accused in Crime No.25 of 2013. Based on the complaint lodged by the first respondent, against the petitioner, the case was registered in Crime No.25 of 2013, on the file of the respondent police, for the offences punishable under Sections 498 (A), 406 and 506(ii) I.P.C. After filing the charge sheet, the case was taken on file in M.C.No.184 of 2014, by the learned Judicial Magistrate, Additional Mahila Court, Trichy.

6.The petitioners in CrI.O.P.(MD) No.11946 of 2017 are accused Nos.1 and 2 in Crime No.319 of 2013. Based on the complaint lodged by the second respondent , against the petitioners, the case was registered in Crime No.319 of 2013, on the file of the first respondent police, for the offences punishable under Sections 147, 148, 427, 448, 294(b), 323, 506(ii), 379(NP) and 109 IPC. After filing the charge sheet, the case was taken on file in C.C.No.97 of 2017, by the learned Judicial Magistrate, Nilakottai, Dindigul District.

7.It appears that on the advice of friends and elders, the parties have entered into compromise and a Joint Compromise Memos, signed by both parties, in the presence of their respective counsel, are also filed. As per the Joint Compromise Memos, the de-facto complainants, in all the petitions have agreed to quash the Charge Sheet in C.C.No.49 of 2014 on the file of the learned Judicial Magistrate, Nilakottai, Dindigul District, in M.C.No.184 of 2014 on the file of the learned Judicial Magistrate, Additional Mahila Court, Trichy and in C.C.No.97 of 2017 on pending on the file of learned Judicial Magistrate, Nilakottai, Dindigul District.

8.The parties have appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memos 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.



9. Having regard to the specific terms of the Joint Compromise Memos, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence the Charge Sheets in C.C.No.49 of 2014 on the file of the learned Judicial Magistrate, Nilakottai, Dindigul District, in M.C.No.184 of 2014 on the file of the learned Judicial Magistrate, Additional Mahila Court, Trichy and in C.C.No.97 of 2017 on pending on the file of learned Judicial Magistrate, Nilakottai, Dindigul District, are quashed in so far as the petitioners herein are concerned. The Joint Compromise Memos signed by the parties shall form part of the order.

10. Accordingly, these Criminal Original petitions are allowed. Consequently, connected Miscellaneous Petitions are closed.

Sd/
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

Encl: Xerox Copy of Joint Compromise Memo.

To

1. The Judicial Magistrate,
Nilakottai,
Dindigul District.

2. The Chief Judicial Magistrate, Dindigul.

3. The Judicial Magistrate,
Additional Mahila Court,
Trichy .

4. The Chief Judicial Magistrate, Trichy.

5. The Inspector of Police,
All Women Police Station,
Nilakottai,
Dindigul District.

6. The Inspector of Police,
Pattiveeranpatti Police Station,
Nilakottai Taluk,
Dindigul District.

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

+2cc to Mr.R.NARAYANAN, Advocate, SR.No.55602

CrI.O.P.(MD) Nos.2020 of 2015, 17651 of 2016 and
11946 of 2017
15.03.2018