



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P. [MD].No.12884 of 2017

and Crl.M.P. [MD].Nos.8814 and 8815 of 2017

WEB COPY

1.Ashok Kumar
2.Thirukkaivel
3.Sagunthala
4.Nagaveni
5.Gopalakrishna

:Petitioners/Accused 1to 5

Vs.

1. State Represented by
The Inspector of Police,
All Women Police Station,
Sattur Taluk, Virudhunagar District. : Respondent/Complainant

2.Saraswathi : 2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the proceedings in C.C.No.15 of 2017, on the file of the learned Judicial Magistrate No-I, Sattur and quash the same.

For Petitioners : Mr.T.Antony Arulraj
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate[Crl. side]
For R-2 : Mr.S.Loganathan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.15 of 2017, on the file of the learned Judicial Magistrate No-I, Sattur, for an alleged offences under Sections 498(A), 406, 506(i) of IPC and Section 4 of the Dowry Prohibition Act, 1961.

2. The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The parties were also present before the Court and they were identified by Mrs.R.Sankareswari, SI of Police. This Court also enquired both the parties and was satisfied that the parties have come to an

amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.15 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.15 of 2017, on the file of the learned Judicial Magistrate No-I, Sattur, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.250/- as costs, to the credit of the "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Authority, Chennai), within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-II)

Encl.:Xerox Copy of Compromise Memo

To

1. The Judicial Magistrate No-I, Sattur.

2. The Inspector of Police,
All Women Police Station,
Sattur Taluk,
Virudhunagar District.

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

4. The Member Secretary,
Tamil Nadu State Legal Services Authority,
Madras High Court Campus.
Madras.

+1cc to Mr.T.Antony Arulraj, Advocate SR.No.81229

Sji

MK/RSK/SAR 2/17.09.2018/2P/6C

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

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