



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Cr1.O.P.(MD) No.13224 of 2017andCr1.M.P(MD).Nos.8948 & 8949 of 2017

1.Mathialagan

2.Vasanthi

3.Selvi

4.Shanthi ..Petitioners/Accused Nos.1, 3, 4 & 5

-Vs-

1.State Represented by
The Inspector of Police,
All Woman Police Station,
Tirunelveli Rural,
Tirunelveli.
(Cr.No.10 of 2015)

...1st Respondent/ Complainant2.Jeyalakshmi ... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in C.C.No.284 of 2017 before the Additional Mahila Court, Tirunelveli as against the petitioners/ Accused Nos.1, 3, 4 & 5 and quash the same.

For Petitioners :M/s.K.Abiya

For Respondents :Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Cr1.side)
for R1
:Mr.S.Subramanian
For R2

ORDER

The Criminal Original Petition has been filed to call for the entire records in C.C.No.284 of 2017 on the file of the Additional Mahila Court, Tirunelveli and quash the same.



respondent and the learned counsel appearing for the second respondent.

3. The petitioners are accused Nos. 1, 3, 4 & 5 in Crime No.10 of 2015. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 498 (A), 294(b), 353, 506(ii) IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and charge sheet also has been filed. Based on the said charge sheet the Additional Mahila Court, Tirunelveli has taken the case on file as C.C.No.284 of 2017 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.284 of 2017 in Cr.No.10 of 2015 on the file of the Additional Mahila Court, Tirunelveli against the accused Nos.1, 3, 4 and 5.

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 (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 C.C.No.284 of 2017 on the file of the Additional Mahila Court, Tirunelveli, against the accused Nos.1, 3, 4 and 5, is quashed. 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(AS)

/True Copy/

Sub Assistant Registrar

Herewith enclosed the xerox copy of Joint Compromise Memo signed by the parties.

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

1. The Additional Mahila Court, Tirunelveli.



2.The Inspector of Police,
All Woman Police Station,
Tirunelveli Rural,
Tirunelveli.

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

+1CC to M/s.K. Abiya, Advocate, SR.No. 54720

Cr1.O.P.(MD) No.13224 of 2017

rmk

TE/SKN RSK/SAR 3/13.04.2018/3P/5C