



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2018

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THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

Crl.O.P.(MD) No.20467 of 2016

G.Muthukumar

... Petitioner/Accused

vs.

1. The Inspector of Police,
All Women Police Station,
Cantonment,
Trichirapalli.
(Crime No.35 of 2013).

... 1st Respondent/Complainant

2.S.Mohan

... 2nd Respondent/De-facto
Complainant

Petition is filed under Section 482 of Code of Criminal Procedure to call for the records pertaining to the C.C.No.335 of 2015 on the file of the Judicial Magistrate No.II, Trichirapalli and quash the same.

For Petitioner	: Mr.D.Balamuruga Pandi
For R1	: Mr.Prabhu Ramachandran Government Advocate (Crl.Side)
For R2	: Mr.M.Bindran

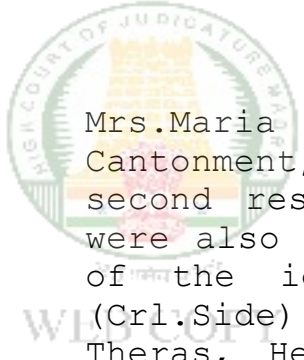
O R D E R

This petition has been filed seeking to quash the proceedings in C.C.No.335 of 2015, pending on the file of the Judicial Magistrate No.II, Trichirapalli.

2.On the complaint lodged by the second respondent herein, the first respondent police has registered a case in Crime No.35 of 2013 for the offence punishable under Sections 497, 498, 294(b) and 506(i) IPC against the petitioner herein. After completing investigation, the first respondent has filed charge sheet and the same has been taken on file in C.C.No.335 of 2015 by the Judicial Magistrate No.II, Trichy and for quashing the same, the petitioner and the *defacto* complainant are before this Court on the ground that they have arrived at a compromise.

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

3.Today, when the matter is taken up for hearing,



Mrs. Maria Theras, Head Constable, All Women Police Station, Cantonment, Trichirapalli is present. The petitioner and the second respondent appeared in persons and their identifications were also verified by this Court, in addition to the confirmation of the identity of the parties by the Government Advocate (Crl.Side) through the respondent Police, namely, Mrs. Maria Theras, Head Constable, All Women Police Station, Cantonment, Trichirapalli. Learned counsel appearing for the parties also endorsed the identity of their respective parties.

4. The parties have filed a joint memo of compromise dated 16.04.2018, wherein, it is stated as follows:

"2.It is further submitted that the above said offence under Sections 497, 498, 294(b) and 506(i) IPC are compoundable nature. Both the petitioner and the second respondent are belonged to nearby villages and considering the further life of the petitioner the elders of the villages taken effort and the matter has been settled and compromised between the parties.

3.Now, the defacto complainant Mr.Mohan S/o.Sethu and the petitioner/accused Muthukumar S/o.Govintharaj entered into compromise and amicably solved the dispute. So the defacto complainant in Crime No.35 of 2013 on the file of the first respondent police, subsequently the same has been charge sheeted as C.C.No.335 of 2015 pending on the file of the Judicial Magistrate No.II, Trichy, Trichy District is not having any objection for quashing the case."

5.In view of the above, this Court is of the opinion that no useful purpose would be served in keeping the matter pending. Therefore, this petition is allowed and the entire proceedings in C.C.No.335 of 2015 pending on the file of the Judicial Magistrate No.II, Trichy, in respect of the petitioner/accused are hereby quashed. The joint compromise memo dated 16.04.2017 shall form part of this order. Consequently, Crl.MP(MD)Nos.10402 and 10403 of 2016 are closed.

6.At the instance of the learned counsel for the petitioner, the petitioner himself voluntarily came forward to contribute some amount to the Mediation and Conciliation Centre attached to this Bench.

7.Accepting the submission, the petitioner is directed to pay a sum of Rs.2,000/- (Rupees two thousand only) to the Mediation and Conciliation Centre attached to this Bench, under <https://hdservices.hcds.gov.in/HCServices/> infrastructure funds, within a period of two weeks from the date of receipt of a copy of this order. After making payment, a copy of the challan shall be furnished to the Registrar



(Administration), Madurai Bench of Madras High Court, Madurai.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II,
Trichy
2. The The Inspector of Police,
All Women Police Station,
Cantonment, Trichirapalli.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Registrar (Administration),
Madurai Bench of Madras High Court,
Madurai.

Copy to :
The Officer In-Charge,
The Mediation and Conciliation Centre,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.A.R.NAMBUNAYAGAM Advocate in SR. No.62336

+1cc to M/s.Mr.M.Bindran Advocate in SR. No.62069

mj

JM/JC/SAR-3/18.05.2018/3P/8C

Cr1.O.P.(MD) No.20467 of 2016
17.04.2018