



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2018

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

Crl.O.P.(MD) No.8846 of 2017

and

Crl.MP(MD)No.5980 & 5981 of 2017

- 1.Vigneswaran
- 2.Appasamy
- 3.Subbulakshmi
- 4.Maheswari
- 5.Anandhakumar

..Petitioners / Accused Nos. 1 to 5

-Vs-

1. The Sub-Inspector of Police,
All Women Police Station,
Virudhunagar.

2. Indhurekha

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in connection with case in C.C.No.132 of 2017 on the file of the learned Judicial Magistrate No.II, Virudhunagar and quash the same.

For Petitioners : Mr.M.Solaisamy

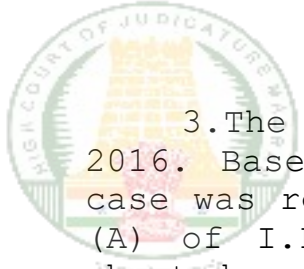
For 1stRespondent : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.side)

For 2nd Respondent : Mr.P.Venkatesan

ORDER

This Criminal Original Petition has been filed to call for the entire records in C.C.No.132 of 2017 on the file of the learned Judicial Magistrate No.II, Virudhunagar and quash the same.

2.Heard the learned counsel appearing for the petitioners, learned Government Advocate (Crl.side) appearing for the first respondent and the learned counsel appearing for the second respondent.



3.The petitioners are accused Nos. 1 to 5 in Crime No.19 of 2016. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 498 (A) of I.P.C and Section 4 of Dowry Prohibition Act. A charge sheet has also been filed. Based on the said charge sheet the learned Judicial Magistrate No.II, Virudhunagar, has taken the case on file as C.C.No.132 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.132 of 2017 on the file of the learned Judicial Magistrate No.II, Virudhunagar 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 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.132 of 2017 on the file of the learned Judicial Magistrate, No.II, Virudhunagar, is quashed, in respect of the petitioners/ accused Nos.1 to 5 alone. The Joint Compromise Memo signed by the parties shall form part of the order.

7.Accordingly, the Criminal Original petition is allowed. Consequently, connected Crl.MP(MD)No.5980 & 5981 of 2017, are closed.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

Encl: Xerox Copy of Joint Compromise Memo



2. The Sub-Inspector of Police,
All Women Police Station,
Virudhunagar.

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

+1cc to Mr.M.Solaisamy, Advocate Sr.No.46833

+1cc to Mr.S.Ramasamy, Advocate Sr.No.47018

DAS

VB/KK/SAR4/09/03/2018/3P/6C

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