



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.14794 of 2018

1.Vadivel
2.Radha @ Radhakrishnan
3.Markandan : Petitioners/Accused Nos.1 to 3

Vs.

1.The State Rep.by
The Sub-Inspector of Police,
Thirunagar Police Station,
Madurai. : Respondent/complainant

2.Amuthavalli : Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the proceedings of C.C.No.492 of 2014 pending on the file of the Additional Mahila Court (Judicial Magistrate Level), Madurai and to quash the same.

For Petitioners : Mr.Babu Rajendran
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate[Cr1. side]

For R-2 : Mr.M.Selvakumar

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.492 of 2014 on the file of the learned Additional Mahila Court (Judicial Magistrate Level), Madurai, for an alleged offences under Sections 294(b), 323 IPC r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act.

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 Mr.M.Sivasamy, SSI of Police and they have also produced the copies of the Aadhaar Card which are made part of the record. 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.492 of 2014.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.492 of 2014, on the file of the learned Additional Mahila Court (Judicial Magistrate Level), Madurai, 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.750/- as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry, Madurai Bench) 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.

Sd/-

Assistant Registrar(Crl.side)

/True Copy/

Sub Assistant Registrar(CS-III)

Encl: Xerox copy of Joint Compromise Memo

To

1.The Additional Mahila Court (Judicial Magistrate Level),
Madurai.

2.The Sub-Inspector of Police,
Thirunagar Police Station, Madurai.

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

4.The Section Officer, Accounts Section,
Madurai Bench of Madras High Court, Madurai.

+1CC to Mr.Babu Rajendran, Advocate, SR.No.79904

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