



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.14806 of 2018

WEB COPY

1.Ramesh
2.Paulraj
3.Shanthi

: Petitioners/Accused 1 to 3

Vs.

1.The Inspector of Police,
All Women Police Station,
Virudhunagar
(in Crime No.2 of 2017)

:1st Respondent/Complainant

2.Devi Sampath

:2nd Respondents/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 Crime No.2 of 2017 on the file of the first respondent Police and quash the same.

For Petitioners : Mr.G.Ramalingam

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate [Crl. Side]

For R-2 : Mr.D.Farjana Ghoushia

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.2 of 2017 pending on the file of first respondent Police, for an alleged offences under Sections 498(A), 406, 506(ii) IPC and Section 4 of Dowry Prohibition Act, 1961 and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002.

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. In order to identify the respective parties they have also produced the copy of the Aadhaar Card which is 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 First Information Report in Crime No.2 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.2 of 2017 pending on the file of first respondent Police, 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.500/- 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.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS-III)

Encl: Xerox copy of Joint Compromise Memo

To

- 1.The Inspector of Police,
All Women Police Station, Virudhunagar.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- 3.The Member Secretary,
Tamil Nadu State Legal Services Authority,
Madras High Court Campus, Chennai.

Copy To:

The Section Officer,Criminal Section,
Madurai Bench of Madras High Court,Madurai. **(2 Copies)**

- +1CC to Mr.G.Ramalingam, Advocate, SR.No.79543
+1CC to Mr.G.Mariappan, Advocate, SR.No.79544

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