



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.16217 of 2018

1.D.Wenceslaws Justin
2.David
3.D.Savariammal
4.Sobiya @ Sheela

...Petitioners/Accused No.1 to 4

Vs.

1.The State Represented by
The Inspector of Police,
All Women Police Station,
Melur, Madurai District.
[In Crime No.24 of 2014]

...Respondent/Complainant

2.S.Parimala @ Soosai Mary

...2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the charge sheet in C.C.No.73 of 2016 on the file of the Judicial Magistrate,Melur and quash the same as illegal.

For Petitioners: Mr.T.Lenin Kumar

For R-1

: Mr.K.Suyambulinga Bharathi

Government Advocate [Criminal Side]

For R-2

: Mr.D.Venkatesh

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.73 of 2016, on the file of the learned Judicial Magistrate, Melur, for an alleged offences under Section 498-A of I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and Section 4 of Dowry Prohibition 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 Ms.S.Kalpana, G.I 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 First Information Report in C.C.No.73 of 2016.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.73 of 2016, on the file of the learned Judicial Magistrate, Melur, is quashed and the terms of Joint Memo of Compromise 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 Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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(CS-III)

/True Copy/

Sub Assistant Registrar(CS-II)

Enclosure: The Joint Compromise Memo dt:31.05.2018

To

- 1.The Judicial Magistrate,Melur, Madurai.
- 2.The Chief Judicial Magistrate,
Madurai.
- 3.The Inspector of Police,
All Women Police Station,
Melur, Madurai District.



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

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+ 1 CC TO MR.D.VENKATESH, ADVOCATE IN SR NO.83570
+ 1 CC TO MR.T.LENIN KUMAR, ADVOCATE IN SR NO. 83569

DAS

BU/RP/SAR-II : 26.09.2018 : 3P/7C

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