



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2018

CORAM

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THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) Nos.14372 of 2016
andCrl.O.P.(MD)No.16833 of 2017 and
Crl.MP.(MD).Nos.11100 and 11101 of 2017andCrl.O.P(MD)No.1189 of 2018
and Crl.MP.(MD)No.498 of 2018Crl.O.P.(MD) Nos.14372 of 2016:

- 1.P.Balasubramanian
- 2.B.Rajeswari
- 3.B.Saravanan @ Savaranakumar
- 4.S.Chitra @ Chitradevi
- 5.S.Latha
- 6.K.Senthil @ Senthil Kumar
- 7.N.Geetha
- 8.S.Nagarajan

..Petitioners / Accused Nos. 2 to 9

-Vs-

- 1.The State of Tamil Nadu
Represented by
The Inspector of Police,
All Women Police Station,
Theni District.
(Cr.No.19 of 2016)

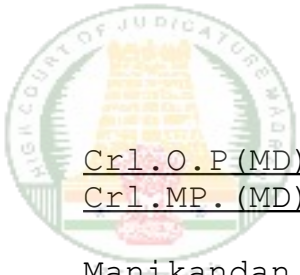
... Respondent/Complainant

- 2.M.Angayarkanni
- ... Respondent/ Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the First Information Report in Crime No.19 of 2016 dated 23.06.2016 under Sections 294(B), 468 (A), 506 (I) of IPC and Section 4 of Dowry Prohibition Act, 1961 on the file of the Respondent No.1 and quash the same as illegal.

For Petitioners : Mr.V.Janakiramulu

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



Cr1.O.P(MD)No.1189 of 2018 and
Cr1.MP.(MD)No.498 of 2018

Manikandan

..Petitioner/1st Accused

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-Vs-

1.The Inspector of Police,
All Women Police Station,
Theni, Theni District.
(Cr.No.19 of 2016)

... Respondent/Complainant

2.S.Angayarkanni

... Respondent/ Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the impugned F.I.R., in Crime NO.19 of 2016 on the file of Inspector of Police, All Women Police Station, Theni, Theni District and quash the same.

For Petitioner : Mr.V.Janakiramulu
For 1st Respondent : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Cr1.side)

Cr1.O.P.(MD)No.16833 of 2017 and
Cr1.MP.(MD).Nos.11100 & 11101 of 2017

1.Sekilar
2.Mariselvam
3.Angayarkanni

..Petitioners / Accused Nos. 1 to 3

-Vs-

1.The Inspector of Police,
Allinagaram Police Station,
Theni District.
(Cr.No.374 of 2016)

... Respondent/Complainant

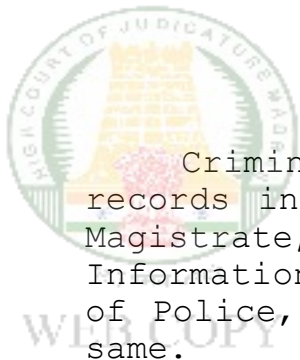
2.Balasubramanian

... Respondent/ Defacto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in C.C.No.203 of 2017 against the petitioners on the file of the learned Judicial Magistrate, Theni and quash the same.

For Petitioners : Mr.S.A.Ajmalkhan
For 1st Respondent : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Cr1.side)

<https://hcservices.ecourts.gov.in/hcservices/>
For 2nd Respondent : Mr.V.Janakiramulu

COMMON ORDER

Criminal Original Petition has been filed to call for the records in C.C.No.203 of 2017 on the file of the learned Judicial Magistrate, Theni, further call for the records to the First Information Report in Crime No.19 of 2016 on the file of Inspector of Police, All Women Police Station, Theni District and quash the same.

2. Heard the learned counsel appearing for the petitioners, learned Government Advocate (Crl.side) appearing for the first respondents (in All Original Petitions) and the learned counsel appearing for the second respondent in Crl.OP.(MD)No.16833 of 2017.

3. The petitioners in Crl.OP(MD)No.14372 of 2016 are accused 1 to 9 in Crime No.19 of 2016 and the petitioners in Crl.OP(MD)No.16833 of 2017 are accused Nos.1 to 3 in Crime No.374 of 2016. Based on the complaint lodged by the second respondent, Crl.OP(MD)No.16833 of 2017 a case was registered for the offences punishable under Sections 294 (b), 498(A) and 506 (1) of IPC r/w Section 4 of Dowry Prohibition Act, 1961, and charge sheet has also been filed. Based on the said charge sheet, the learned Judicial Magistrate, Theni, has taken the case on file as C.C.No.203 of 2017 and the same is pending.

4. It appears that the petitioners and the second respondent, namely, the de-facto complainants have settled their disputes amicably out of Court and they have also entered into a compromise, on the advise of elders and their relatives. Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, are also produced before this Court. As per the Joint Compromise Memo, the de-facto complainants, namely, the second respondents, have no objection for quashing the proceedings in C.C.No.203 of 2017 on the file of the learned Judicial Magistrate, Theni and Crime No.19 of 2016 on the file of All Women Police Station, Theni against the accused Nos.1 to 9 alone.

5. The parties have 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.203 of 2017 on the file of the learned Judicial Magistrate, Theni, in respect of petitioners/Accused 1 to 3 in Crl.OP(MD)Nos16833 of 2017, petitioners in Crime No.19 of 2016 in Crl.OP(MD)No.1189 of 2016 and the petitioners in Crime No. 19 of 2016 in Crl.OP(MD)No.14372 of 2016, is quashed in toto. Joint Compromise



Memo signed by the parties shall form part of the order.

7. Accordingly, these Criminal Original petitions are allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar.

Herewith enclosed the xerox copy of Joint Compromise Memo

To

1. The Judicial Magistrate, Theni.

2. The Inspector of Police,
All Women Police Station,
Theni District.

3. The Inspector of Police,
Allinagaram Police Station,
Theni District.

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

+1CC to Mr.S.A.Ajmal Khan, SR.No. 45364

Crl.O.P.(MD) Nos.14372 of 2016
and

Crl.O.P.(MD)No.16833 of 2017 and
Crl.MP.(MD).Nos.11100 and 11101 of 2017
and

Crl.O.P(MD)No.1189 of 2018
and Crl.MP.(MD)No.498 of 2018
30.01.2018

das/smi

AM/GT/SAR 2/20.02.2018/2P/6C