



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 11.04.2019
CORAM

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

WEB COPY

Cr1.O.P.No.5427 of 2019

1.Mathiyalagan
2.Amirtham
3.Meenal @ Meena
4.Jeeaprema
5.Shanthi

.. Petitioners/Accused Nos.1 to 5
Vs

1. State Rep. By
The Inspector of Police,
All Women Police Station,
Keeranur,
Pudukkottai District.
(Crime No.2 of 2016)

.. Respondent/Complainant

2. Sasikala

.. Respondent/Defacto Complainant

Prayer:Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the entire records in C.C.No.73 of 2017 on the file of the learned Judicial Magistrate Court, Keeranur, Pudukkottai District and quash the same as illegal.

For Petitioners : Mr.P.Ganapathi Subramanian
For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Cr1.Side)
For R2 : Mr.K.M.Alagan

O R D E R

The Criminal Original Petition has been filed to quash the C.C.No.73 of 2017 on the file of the learned Judicial Magistrate Court, Keeranur, Pudukkottai District.

2. The case of the prosecution is that the first petitioner is the husband of the defacto complainant and the petitioners 2, 3 & 4 are in-laws of the defacto complainant. The marriage was performed between the first petitioner and the defacto complainant on 02.06.2004. Thereafter, they blessed with one female child and one male child. The petitioner had a illegal intimacy with the fourth respondent and the same was questioned by the defacto complainant. Due to which, the first petitioner along with other petitioners harassed the defacto complainant. The first petitioner has



registered marriage with the fourth petitioner. Thereby, the respondent police registered the case in Cr.No.2 of 2016 against the petitioners under Sections 498 (a), 494, 406, 294(b) and 506 (i) of IPC. After completing the investigation the Law Enforcing Agency filed a final report in C.C.No.73 of 2017 before the Magistrate Court, Keeranur, Pudukkottai District and the same is pending.

3. The case is still in the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4. 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.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police has no objection and Mr.K.Pugalenth, Special Sub-Inspector of Police, Kurumboor Police Station, Thoothukudi District, identified the parties, who appeared before this Court.

6. Under such circumstances, no useful purpose will be served in keeping the trial 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the C.C.No.73 of 2017.

7. This Criminal Original Petition stands allowed and as a sequel, the case in C.C.No.73 of 2017 on the file of the learned Judicial Magistrate Court, Keeranur, Pudukkottai District is quashed. Each of the petitioner shall pay a sum of Rs.1,000/- 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 two weeks 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

/ True Copy /

Sub Assistant Registrar(CS)



1. The Judicial Magistrate Court, Keeranur,
Pudukottai District.

2. The Inspector of Police,
All Women Police Station,
Keeranur,
Pudukkottai District.

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

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

Copy To:

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

+1 CC to M/s.P.GANAPATHI SUBRAMANIAN, Advocate
(SR-60535[F] dated 11/04/2019)

Cr1.O.P.No.5427 of 2019

ES/14.05.2019/3P/8C