



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2019

CORAM:

**THE HONOURABLE MR.JUSTICE N.SESHASAYEE**

**Crl.O.P.[MD]No.6651 of 2019**

WEB COPY

1.Antony Jesus Robinson  
2.Joseph Reet  
3.Jesintha

: Petitioners / Accused Nos.1 to 3

-Vs-

1.State of Tamil Nadu  
The Sub Inspector of Police,  
All Women Police Station,  
Tuticorin District.  
(Crime No.52 of 2015) : 1<sup>st</sup> Respondent / Complainant

2.Anitha : 2<sup>nd</sup> Respondent / Defacto  
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in connection with Charge Sheet in C.C.No.494 of 2017 on the file of the learned Judicial Magistrate No.III, Tuticorin and to quash the same in respect of the petitioners.

For Petitioners : Mr.V.Malaiyendran  
For R-1 : Mr.V.Neelakandan,  
Additional Public Prosecutor.  
For R-2 : Mr.S.Paul Murugesh

**ORDER**

The Criminal Original Petition has been filed to quash the Charge Sheet in C.C.No.494 of 2017 on the file of the learned Judicial Magistrate No.III, Tuticorin for the alleged offences under Sections 498(A) IPC and 4 of TNPWH Act against the petitioners 1 and 2 and Section 498(A) IPC against the third petitioner. The offence is chiefly private in nature.

2.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.

3.A Joint Memo of Compromise has been filed before this Court, which have been signed by the petitioners and the third respondent and also by their respective counsel. The petitioners and the third respondent were also present in person before this Court and they were identified by Ms.S.Delciya, CWGR-I, 1088, All Women Police



Station, Tuticorin District, Contact No.94981 94451. 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 proceedings pending, even though, the offence involved is not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **the State of Madhya Pradesh Vs. Laxmi Narayan & Others** [CDJ 2019 SC 264] and **Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat** [(2017) 9 SCC 641], this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Charge Sheet in C.C.No.494 of 2017 on the file of the learned Judicial Magistrate No.III, Tuticorin.

5. This Criminal Original Petition stands allowed and as a sequel, the Charge Sheet in C.C.No.494 of 2017 on the file of the Judicial Magistrate No.III, Tuticorin, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioners shall pay a sum of Rs.1,000/-, each as costs, to the credit of the "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, SBI, Periyakulam), 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

/ True Copy /

Sub Assistant Registrar(CS)

**Encl:Xerox copy of Joint Compromise Memo**

Myr

To

1.The Judicial Magistrate No.III, Tuticorin.

2.The Sub Inspector of Police,  
All Women Police Station, Tuticorin District.

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

**Copy To:**

The District Siddha Medical Officer, CCRI, Periyakulam

+1 CC to M/s.V.MALAIYENDRAN, Advocate( SR-64419[F] dated 30/04/2019)

**CrI.O.P. [MD]No.6651 of 2019**

**30.04.2019**