



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.11.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD).No. 10350 of 2019
and Crl.M.P.(MD) Nos. 6476 & 6477 of 2019

1. Satheeshkumar
2. Ramprabu

... Petitioners/A1 & A2

Vs.

1. The State of Tamilnadu,
Rep. by its Inspector of Police,
Keelathooval Police Station,
Ramanathapuram District,
in Crime No.18 of 2017
2. Murugalingam
3. Gunaseeli

...Respondent 1/Complainant

...3rd Respondent/Victim

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in the charge sheet in S.C. No. 147 of 2018, on the file of the Fast Track Mahila Court, Ramanathapuram against Crime No.18 of 2017 on the file of the first respondent police and quash the same as illegal.

For Petitioner : Mr.K.R. Laxman
For R-1 : Mr.K. Suyambulinga Bharathi,
Government Advocate (crl. Side)

For R-2 & R-3 : Mr.K. Selvam

ORDER

This petition has been filed to quash the proceedings in the charge sheet in S.C. No. 147 of 2018, on the file of the Fast Track Mahila Court, Ramanathapuram against Crime No.18 of 2017 on the file of the first respondent police.

2. This matter has been referred before the Mediation and Conciliation Centre attached to this Court. Before the Mediation, the parties i.e., the petitioner and the respondent amicably settled their issues and also entered into settlement. They also filed joint memo of compromise, dated 11.11.2019 to that effect. The joint memo of compromise is extracted hereunder:

" It is submitted that the 2nd



respondent/Defacto complainant lodged the complaint before the 1st respondent police and a case was registered for the offences punishable under Sections 448, 366 and 511 of Indian Penal Code in Crime No.18 of 2017. Further charge sheet has been filed and also taken on file and now has been committed under S.C. No. 147 of 2018, on the file of the leaned Fast Track Mahila Court, Ramanathapuram.

It is submitted that the entire case of the prosecution was given on abandoned caution and due to an apprehension that the accused may cause disturbances as he came to the house of the defacto complainant. But thereafter, there was no disturbances from the accused and hence there is no necessity to persuade the criminal complaint as it is amicably settled between the petitioners and the private respondents in the Women Missing Fir and the present criminal case has been given on apprehension. Further now the 3rd respondent has been married to some other person and both the 1st petitioner and the 3rd respondent are living their respective life independently and amicably. Wherein the present compromise memo is filed in order to sustain harmony and peace in their respective matrimonial life and in order to avoid further disturbances in the matrimonial life and hence the present compromise memo is filed.

It is submitted that due to the intervention of village elders of both parties, the respondents 2 & 3 and the petitioners are decided to go for compromise for the future employment and relationship and as such the respondents 2 & 3 agreed to withdraw the complaint and charge sheet in S.C. No. 147 of 2018 is pending as against the petitioners before the Hon'ble Fast Track Mahila Court, Ramanathapuram and as such to that effect, this joint compromise memo has been filed. The grounds in the quash petition may be treated as part and parcel of this Joint Compromise Memo. On behalf of the respondent 2 & 3, the 2nd respondent has signed the present compromise memo for the reason that the 3rd respondent is leading a peaceful matrimonial life and hence the signature of the 2nd respondent father of the 3rd respondent and the De-facto complainant herein in the compromise memo is accepted by the Petitioners.

It is therefore prayed that this Hon'ble Court may be pleased to accept the Compromise Memo and to allow the quash petition for quashing the charge sheet in S.C. No. 147 of 2018, on the file of the 1st respondent police and pass such further or other orders as this Hon'ble Court may deem fit and proper in the above facts and circumstances of the case and thus



3. In view of the above, no useful purpose will be served in keeping the proceedings in S.C. No.147 of 2018 before the file of the learned Fast Track Mahila Court, Ramanathapuram. Hence, this Criminal Original Petition is allowed and the proceedings in S.C. No.147 of 2018 before the file of the learned Fast Track Mahila Court, Ramanathapuram, is hereby quashed. The joint memo of compromise, dated 11.11.2019 shall form part and parcel of this order. The petitioners shall pay a sum of Rs.5000/- (Rupees Five Thousand only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), and file a photocopy of the receipt along with a memo reporting compliance before the Registry and the 1st respondent on or before **29.11.2019**, failing which, this order automatically stands cancelled without further reference to this Court. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Fast Track Mahila Court,
Ramanathapuram.
2. The Inspector of Police,
Keelathooval Police Station,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

- 1.The Section Officer, Accounts Section,
Madurai Bench of Madras High Court, Madurai.
- 2.The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K. SELVAM, Advocate (SR-97559[F] dated 12/11/2019)

+1 CC to M/s.G. VISHNURAM, Advocate (SR-97924[F] dated 13/11/2019)

Crl.O.P. (MD) .No.10350 of 2019
12.11.2019

KK/SAR/22.11.2019/3P-8C/