



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Crl.O.P.[MD]Nos.17049 and 15826 of 2018

and

Crl.M.P. (MD)Nos.7548 and 7015 of 2018

1.N.Kalithasan

(Wrongly mentioned in FIR as Kalidassan)

2.N.Bulakshmi

(Wrongly mentioned in FIR as Poolakshmi)

3.K.Ravikumar

4.Geetha

5.Prema

:Petitioners/Accused Nos.1 to 5 in
Crl.O.P. (MD)No.17049 of 2018

P.Mohamed Rafi

:Petitioner/Accused No.6 in
Crl.O.P. (MD)No.15826 of 2018

Vs

1.The Inspector of Police,
All Women Police Station,
Theni District.
In Crime No.20 of 2018.

2.V.Suriya Prabha

:Respondents/Complainant/Defacto
Complainant in both petitions

COMMON PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the First Information Report in Crime No.20 of 2018 dated 01.08.2018 on the file of the respondent No.1 for offences under Sections 498 (A), 417, 294(b), 506(1) and 109 IPC and Section 4 of Dowry Prohibition Act, 1961 and quash the same as illegal as against the petitioners alone.

For Petitioners : Mr.T.Lajapathi Roy

For R-1 : Mr.V.Neelakandan
Additional Public Prosecutor

For R-2 : Mr.Venkateswaran

(in both petitions)

COMMON ORDER



registered for an alleged offence under Sections 498 (A), 417, 294 (b), 506(1), 109 IPC and Section 4 of Dowry Prohibition Act, 1961. The offences are chiefly private in nature.

2. Since the issue involved in this petition is matrimonial dispute, this Court earlier referred this matter to the Mediation and Conciliation Center attached to this Bench, wherein the issue between the parties is settled amicably and the Mediation Centre has also sent its report to this Court.

3. Today, the prosecutrix also appeared in person before this Court and made a statement that the issue between the parties has been resolved amicably. She has also expressed her willingness to not press the complaint preferred by her in crime No.20 of 2018 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. The petitioners and the second respondent were also present in person before this Court and they were identified by R.Sumathi, Sub-Inspector of Police, All Women Police Station, Theni. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

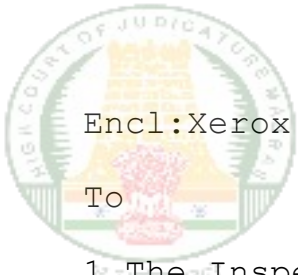
5. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.20 of 2018.

6. These Criminal Original Petitions stand allowed and as a sequel, the proceedings in Crime No.20 of 2018, on the file of the first respondent police, 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.500/-, each 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 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. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //



Encl:Xerox Copy of Joint Compromise Memo.

To

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

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

Copy to:

1)The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai.(2 COPIES)

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

+2cc to Mr.T.Lajapathi Roy, Advocate, SR.No.54072

+1cc to Mr.M.Prahadeeshwaran, Advocate, SR.No. 53835

Cr1.O.P.[MD]Nos.17049 and 15826 of 2019

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KK/SAR/08.05.2019/ 3P- 9C