



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD).No.12425 of 2019

- 1) Surendiran
- 2) Gayathri MK
- 3) Sakila MK

... Petitioners/ Accused
Nos.1 to 3

Vs.

- 1.The Inspector of Police,
AWPS - Madurai Town,
Madurai Ciy.
(Crime No.14 of 2017)

2. Sakthi Priya

... Respondent/ *De facto*
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the Charge sheet in C.C.No.77 of 2018 pending before the Judicial Magistrate cum Additional Mahila Court, Madurai and quash the same as illegal.

For Petitioner : Mr.R.Venkatesan

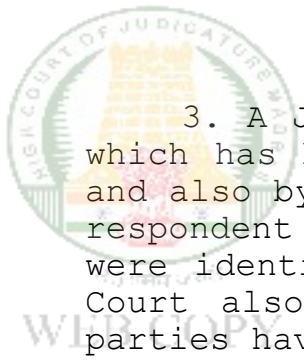
For R-1 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl. Side)

For R-2 : Mr.Balu Rajasekaran

O R D E R

The Criminal Original Petition has been filed to quash the Charge sheet in C.C.No.77 of 2018 pending before the Judicial Magistrate cum Additional Mahila Court, Madurai for the offences under Sections 498(A), 406, 249(b), 506(1) of IPC in Crime No.14 of 2017 dated 25.07.2017 registered under Sections 498(A), 406, 249(b), 506(1) of IPC on the file of the first Respondent.

2. The case is under 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 has been signed by the petitioners and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by Ms. Santhi, Women Sub Inspector of Police. 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 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 Gujarat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.77 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.77 of 2018 on the file of the learned Judicial Magistrate cum Additional Mahila Court, Madurai against Crime No.14 of 2017 dated 25.07.2017 is quashed and the terms of affidavit of the de facto complainant which shall form part and parcel of this order. The petitioner 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), 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

**ENCL: Xerox Copy of the affidavit of Defacto Complainant/
Compromise Memo**

To

1. The Inspector of Police,
AWPS - Madurai Town,
Madurai City.
(Crime No.14 of 2017)
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



3. The Section Officer, Accountants Section,
Madurai Bench Of Madras High Court, Madurai.

4. The Section Officer, Criminal Section, (2 copies)
Madurai Bench Of Madras High Court, Madurai.

+1CC TO Mr.R.Venkatesan, Advocate, Sr No.85486

Order made in
Crl.O.P. (MD) .No.12425 of 2019
Dated:05.09.2019

sts
MS/25.09.2019/3P.7C