



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.02.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.[MD].No.2216 of 2020

and

Crl.M.P.[MD]No.1135 of 2020

WEB COPY

1.V.Vijayakumar

2.M.Vivekaanandan

3.V.Gandhi Devi

4.Vinothkumar

: Petitioners/Accused Nos.1 to 4

Vs.

1.State Represented by

The Inspector of Police,
All Women Police Station,
Contonment Tricy, Trichy.

(Crime No.1 of 2019) :1st Respondent/Complainant

2.K.Yogarani

:2nd Respondent/1st Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records of the case in C.C.No.832 of 2019, on the file of the learned Judicial Magistrate, Additional Mahila Court, Trichy and quash the same as illegal.

For Petitioners : Mr.K.Vinayagan

For R-1 : Mr.S.Chandarasekar
Additional Public Prosecutor

For R-2 : Mr.D.Santhanakrishnan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.832 of 2019, on the file of the learned Judicial Magistrate, Additional Mahila Court, Trichy, for the offences punishable under Sections 498(A), 294(b) and 506(1) of IPC and Section 4 of Dowry Prohibition Act, 1961, in Crime No.1 of 2019.

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 have been signed by the petitioners and the second respondent and also by their respective counsel. In order to identify the

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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.

4.Under such circumstances, no useful purpose will be served in keeping the proceedings 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.832 of 2019.

5.It is represented by the learned counsel for the petitioners that the petitioners paid a sum of Rs.5,000/- (Rupees Five thousand only) as costs to the Credit of the Rojavanam Old Age Home, Uthangudi, Madurai and filed the original cash receipt along with this memo on 10.02.2020. The said submission is placed on record.

6.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.832 of 2019, on the file of the learned Judicial Magistrate, Additional Mahila Court, Trichy, is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ENCL : Xerox copy of Joint Compromise Memo.

sji

To

1.The Judicial Magistrate, Additional Mahila Court, Trichy.

2.The Inspector of Police,
All Women Police Station,
Contonment Tricy, Trichy.

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

+1 CC to M/s.K.VINAYAGAN, Advocate (SR-5482[F] dated 10/02/2020)

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10.02.2020