



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2020

CORAM:

THE HONOURABLE Mr.JUSTICE R.PONGIAPPAN

CRL OP(MD)No.8748 of 2020

1.Uma Maheswari

2.Poomani

... Petitioners /Accused Nos.1 and 2
Vs

1.State rep by

The Sub Inspector of Police,
Virudhunagar Rural Police Station,
Virudhunagar District.

(In Crime No.427/2018)

... 1st Respondent /Complainant

2.Mrs.Kothaiyammal

... 2nd Respondent/De-facto complainant

PRAYER: Petition filed under Section 482 of Criminal Procedure Code, praying to record the compromise reached between the petitioners/accused and the second respondent/De-facto complainant and call for the records in C.C.No.33 of 2020 on the file of the Judicial Magistrate Court No.II, Virudhunagar and quash the same.

For Petitioner : Mr.M.Jothi Basu

For R1 : Mr.S.Chandrasekar

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.33 of 2020, pending on the file of the learned Judicial Magistrate No.II, Virudhunagar.

2.Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent.

3.The petitioners are the accused in Crime No.427 of 2018. Based on the complaint lodged by the second respondent herein, the said case was registered against the petitioners by the first respondent for the offence under Sections 294(b), 355 and 506(i) IPC, r/w Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003.

4.Now, it appears that the parties have settled their dispute amicably out of Court and that they have also entered into a compromise on the advise of elders. They have also stated that they have acted upon the compromise. A Joint Compromise Memo, signed by the parties, in the presence of their respective counsels, is also produced before this Court. As per the Joint Compromise Memo, the second respondent/de-facto complainant has no objection for quashing the entire proceedings in C.C.No.33 of 2020 pending on the file of the learned Judicial Magistrate No.II,



5.The parties appeared before this Court through video conferencing and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own free will and volition. The identity of the parties are verified and confirmed by Mr.Vasakar, Sub-Inspector of Police, Virudhunagar Rural Police Station.

6.Having regard to the specific terms of the Joint Compromise Memo, this Court is of the view that no useful purpose will be served by keeping this matter is pending. Hence, the proceedings in C.C.No.33 of 2020 on the file of the Judicial Magistrate No.II, Virudhunagar, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of this order.

7.Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Encl:Xerox copy of joint compromise memo
ns

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Judicial Magistrate No.II,
Virudhunagar.

2.The Sub Inspector of Police,
Virudhunagar Rural Police Station,
Virudhunagar District.

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

+1 CC to Mr.M. JOTHI BASU, Advocate(SR-16605[F] dated 11/09/2020

CRL OP(MD)No.8748 of 2020

11.09.2020

KM (21.09.2020) 2P 5C

<https://hcservices.ecourts.gov.in/hcservices/>