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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.12868 of 2021

and

CRL.M.P.Nos.7105 & 7106 of 2021

1.M.Vignesh
2.P.Manohar
3.Mahalakshmi

... Petitioners

Versus

S.Dhakshayani

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the impugned Calendar Case in C.C.No.60 of 2020 on the file of the learned Judicial Magistrate, Additional Mahila Court, Alandur and quash the same.

For Petitioners : Mr.A.Mohammed Ismail
For Respondent : Mr.A.R.Sakthivel

ORDER

This petition is filed to quash the proceedings in C.C.No.60 of 2020 on the file of the learned Judicial Magistrate, Additional Mahila Court, Alandur.

2. It is the case of the prosecution that the marriage between the first petitioner and the respondent/de-facto complainant was held on 30.11.2017. After the marriage, the petitioners demanded dowry and grabbed the ATM of the respondent. On 16.11.2018 all the petitioners came to the respondent's house at about 12 pm and demanded dowry and verbally abused the de-facto complainant and the first petitioner had beaten the respondent and she sustained injuries. Hence, she lodged a complaint to the Madippakkam All Women Police Station, but FIR was not registered. Hence, she filed a private complaint and it is numbered as C.C.No.218 of 2019 before the Judicial Magistrate Court, Alandur and later



transferred to Additional Mahila Court, Alandur and numbered as C.C.No.60 of 2020 for the offence under Sections 498 (A) of IPC.

3. The case is still at the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4. A Joint Memo of Compromise has been filed before this Court which is signed by the petitioners and the respondent and also by their respective counsel. In the Joint Memo of compromise it is stated that the petitioners and the respondent, entered into compromise and amicably settled their issues in CC.No.60 of 2020. This Court enquired both the parties and 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 case 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 Gujrath), and after exercising due caution as advised by the Hon'ble Supreme Court in The State of Madhya Pradesh v. Dhruv Gurjar and Another reported in (2019) 2 MLJ Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in C.C.No.60 of 2020, pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Alandur.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.60 of 2020, pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Alandur, is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently, connected Miscellaneous Petitions are also closed.

*Joint Compromise Memo xerox copy enclosed.

s/d

Assistant Registrar

True Copy

Sub-Assistant Registrar

dna



To

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

CRL.O.P.No.12868 of 2021
CRL.M.P.Nos.7105 &
7106 of 2021

SSI (CO)
PM(03/09/2021)