



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.(MD) No.8058 of 2022

1.Moovendran
2.Manimaran
3.Vasanth
4.Kanaga @ Kanagavalli

...Petitioners/
Accused Nos.1 to 4

Vs.

1.TheState represented through
The Inspector of Police,
Ramanathapuram AWPS Police Station,
Ramanathapuram District.
(Crime No.24 of 2020)

... 1st Respondent/Complainant

2.Parameswari

...2nd Respondent/
Defacto Complainant

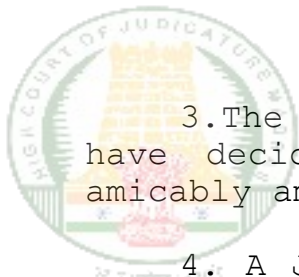
PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records pertaining to quash the Charge Sheet in C.C.No.35 of 2021 on the file of the Judicial Magistrate Additional Mahila Court, Ramanathapuram Distirct and quash the same as illegal.

For Petitioners	:	Mr.R.Babu Jaganath
For Respondent	:	Mr.A.Albert James
No.1		Government Advocate (Crl. Side)
For Respondent	:	Mr.C.Srinivasa Raghavan
No.2		

ORDER

The Criminal Original Petition has been filed to quash the Charge Sheet in C.C.No.35 of 2021 pending on the file of the Judicial Magistrate, Additional Mahila Court, Ramanathapuram Distirct, for the offences punishable under Sections 498(A), 494, 417, 323 and 506(i) of IPC r/w 4 of TNWHA, in Crime No.24 of 2010.

2.The case of the prosecution is that the first petitioner is the husband of the second respondent/defacto complainant and the other petitioners are her in-laws. Due to some dispute erupted in the matrimonial relationship, the defacto complainant was assaulted and harassed by all the petitioners. Hence, the complaint.



3.The case is under 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 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 Mrs.M.Maharani, SSI of Police, Ramanathapuram AWPS Police Station. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. In the instant case, the dispute is of personal in nature and the parties had compromised. Where the parties have compromised the matter, the High Court has to power to quash the complaint for the offence under Sections 498(A), 494, 417, 323 and 506(i) of IPC r/w 4 of TNWHA.

6. The legal position expressed by the Hon'ble Apex Court in the case of **Gian Singh vs. State of Panjab and another** reported in **(2012)10 SCC 303** and **Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath** reported in **(2017)9 SCC 641** were taken into consideration.

7. In the light of the guidelines issued in the above said Judgments of the Hon'ble Apex Court, no useful purpose will be served in keeping the proceedings in C.C.No.35 of 2021 pending before the Judicial Magistrate, Additional Mahila Court, Ramanathapuram District, even though, the offences involved are not compoundable in nature.

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.35 of 2021, on the file of the Judicial Magistrate, Additional Mahila Court, Ramanathapuram District is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (CS-III)

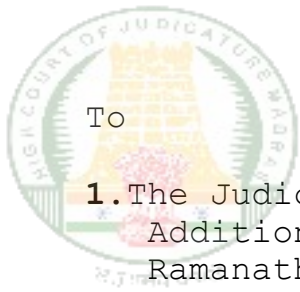
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/ /2022

Sub Assistant Registrar(CS)

btr/skn

ENCL:Xerox Copy of Joint Compromise Memo



To

1.The Judicial Magistrate,
Additional Mahila Court,
Ramanathapuram Distirct.

2.The Inspector of Police,
Ramanathapuram AWPS Police Station,
Ramanathapuram District.

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

+1 CC to M/s.C.SRINIVASA RAGHAVAN, Advocate (SR-24803[F]
dated 09/06/2022)

+5 CC to M/s.V.ARIYANATCHI, Advocate (SR-24913[F]
dated 09/06/2022)

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im(CO)

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