



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.14954 of 2021

in

Crl.M.P(MD) No.7989 of 2021

WEB COPY

- 1.Gaana Roobi
 - 2.Haris
 - 3.Jackulin Jeba Sheeba
 - 4.Christel Jebitha
- ...Petitioners/Accused Nos.2 to 5

Vs.

1. The Inspector of Police,
All Women Police Station,
Colachel,
Kanyakumari District.
(Crime No.14 of 2016) ... 1st Respondent / Complainant
2. G.V.Feminar ... 2nd Respondents / Defacto complainant
- 3.H.Astin Jegaseelan ...3rd Respondents
**(*R3 Suo motu Impleaded vide
order dated 04.10.2021)**

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records in C.C.No. 216 of 2019 on the files of Judicial Magistrate, Eraniel and to quash the same as against the petitioners.

For Petitioners : Mr.S.C.Herold Singh

For R1 : Mr.B.Thanga Aravindh
Government Advocate

For R2 : Mr.B.Brijesh Kishore

For R3 : Mr.T.Jeen Joseph

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in C.C.No.216 of 2019 on the file of the learned Judicial Magistrate, for an alleged offences under Sections 498(A) and 406 of IPC and Sections 4 and 5 of Dowry Prohibition Act, 1961.



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 and third respondents and also by their respective counsel.

4.Under such circumstances, no useful purpose will be served in keeping the First Information Report pending before the respondent police. 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)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Charge Sheet in C.C.No.216 of 2019 pending on the file of the learned Judicial Magistrate, Eraniel.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.216 of 2019 on the file of the learned Judicial Magistrate, Eraniel, is quashed insofar as the petitioners alone and the terms of joint compromise memo shall form part and parcel of this order. Further, the petitioners shall pay a sum of Rs.5,000/- as costs, to the District Siddha Medical Officer, CCRI, Periyakulam in State bank of India, Periyakulam Branch, bearing Account No.10767823177, IFSC No.SBIN000898, MICR Code No.625002601, on or before **18.03.2022** and the receipt of payment shall be produced before the concerned Court, failing which the order shall stand dismissed automatically without any further reference to this Court. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

To

1. The Inspector of Police,
All Women Police Station,
Colachel,
Kanyakumari District.



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

3. The District Siddha Medical Officer, CCRI, Periyakulam.

Copy to
The Judicial Magistrate, Eraniel.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-11015[F] dated
10/03/2022)

Crl.O.P.(MD) No.14954 of 2021
08.03.2022

SMV(CO)
TR(14.03.2022) 3P 6C