

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.09.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.21319 of 2015

1.T.Akilan
2.A.Thalamuthu
3.A.Vanitha

... Petitioners/Respondents

Vs

Mrs.Amutha

.. Respondents/Petitioner

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in C.C.No.3446 of 2010 on the file of V Metropolitan Magistrate Court, Egmore, Chennai -8 and quash the same in view of compromise entered into between the complainant and the petitioners.

For Petitioners : Mr.M.Srividhya

For Respondent : No Appearance

ORDER

This petition is filed to quash the proceedings in C.C.No.3446 of 2010 on the file of V Metropolitan Magistrate Court, Egmore, Chennai -8.

2. Heard the learned counsel for the petitioner. Though notice has been served, the respondent has not chosen to appear.

3. For the sake of convenience, the parties will be referred by their name.

4. Amutha got married to Akilan on 13.12.2007 and their marriage ran into rough weather and got estranged. Amutha initiated proceedings in C.C.No.3446 of 2010 before the V Metropolitan Magistrate Court, Egmore, Chennai -8 under the Domestic Violence Act against Akilan and his parents Thalamuthu and Vanitha. Challenging which, Akilan, Thalamuthu and Vanitha are before this Court on the ground that the matter has been settled with Amutha.

5. A memo of compromise dated 12.07.2015 signed by Amutha and the petitioners have been filed, wherein it is stated as follows:

"2. The first petitioner further during the course of compromise has agreed to deposit Rs.5,50,000/- to the respondent as permanent alimony. It is also agreed by the complainant/respondent that she will not enforce or claim maintenance or permanent alimony. In view of the compromise entered into by the parties, it is specifically submitted that the complainant/respondent herein that she has consented for quashing the proceeding initiated against the petitioners on the basis of her complaint pending in C.C.No.3446 of 2010 on the file of V Metropolitan Magistrate Court, Egmore, Chennai -8. As the offences invoked in C.C.No.3446 of 2010 are not compoundable the complainant/respondent gives consent to allow this petition to quash the Charge Sheet. It is therefore prayed that this Hon'ble Court may be pleased to accept the compromise memo and record the same and acquit the petitioner by compounding the Offences under Sections 12, 17, 7(2), 18(a) 18(c), 19(1)(2), 19(8), 20 (3), 22 of Protection of Woman from Domestic Violence Act, 2005."

In view of the above, this Criminal Original Petition is allowed and the proceedings in C.C.No.3446 of 2010 on the file of V Metropolitan Magistrate Court, Egmore, Chennai -8 is hereby quashed.

vsm

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1. V Metropolitan Magistrate Court, Egmore, Chennai -8.
2. Thro' Chief Judicial Magistrate, Egmore, Chennai 8.

vgi(co)
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