

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.09.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.Nos.7836, 22996 and 23062 of 2015
and
M.P.No.1 of 2015

Crl.O.P.No.7836 of 2015

- 1.Jagadish
- 2.Arumugam
- 3.Mrs.Chandra
- 4.Mrs.Priya
- 5.Sankar

...Petitioners

Vs

1. J.Vaidegi
2. The Protection Officer,
District Social Welfare Office,
District Collector's Office Complex,
Singaravelar Maligai, 8th Floor,
Rajaji Salai, Chennai - 600 001.

...Respondents

Crl.O.P.No.22996 of 2015

- 1.Mrs.Santhapriya
- 2.Sankar

...Petitioners

vs

1. The State,
Rep. By Inspector of Police,
W-6, AWPS, Secretariat Colony,
Chennai.

...Respondents

Crl.O.P.No.23062 of 2015

Jagadish

...Petitioner

VS

1. The State,
Rep. By Inspector of Police,
W-6, AWPS, Secretariat Colony,
Chennai.

2. J.Vaidegi

...Respondents

Prayer: Criminal Original petitions filed under Section 482 Cr.P.C., to call for the records in C.C.Nos.119, 1281 and 1038 of 2015 pending trial on the file of V Metropolitan Magistrate, Egmore, Chennai and quash the same.

For Petitioners (in all cases) : Mr.T.C.S.Raja Chockalingam

For Respondents (in all cases) : Mr.C.Eamlia,
Additional Public Prosecutor

G.M.Sankar
for Defacto complainant

COMMON ORDER

These petitions are filed to quash the proceedings in C.C.Nos.119, 1281 and 1038 of 2015 respectively on the file of V Metropolitan Magistrate, Egmore, Chennai.

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

3. Vaidegi got married to Jegadish on 27.01.2010 and they have no issues through the wedlock. It appears that their marriage ran into rough weather and got estranged. Vaidegi lodged a police complaint against Jegadish, based on which, a case in Crime No.5 of 2014 was registered and after completing the investigation the respondent police has filed a final report in C.C.No.1038 of 2015 before the V Metropolitan Magistrate, Egmore, Chennai. Challenging which, Jegadish has filed Crl.O.P.No.23062 of 2015. On the complaint lodged by Vaidegi, a criminal case in Crime No.805 of 2014 was registered against Santhapriya and Sankar, who are the in-laws of Vaidegi and after completing the investigation, the respondent police has filed a final report in C.C.No.1281 of 2015. Challenging which, Santhapriya and Sankar are before this Court in Crl.O.P.No.22996 of 2015. Vaidegi lodged a proceedings under the Domestic Violence Act in C.C.No.119 of 2015 against Jagadish and

others. Challenging which, Jegadish and others are before this Court in Crl.O.P.No.7836 of 2015.

4. Now it appears that the parties have arrived at a compromise. Vaidegi is present before this Court and she has filed an affidavit, wherein she has stated as follows:

"2.I have received a sum of Rs.8,00,000/- (Rupees eight lakhs only) i.e., one lakh at Mediation Centre and seven lakhs at Family Court, from the petitioners' brother vide D.D.No.979665 dated 02.09.2015 SBI further I have got back my sridhana articles also from the petitioner (Jagadish/Husband). Therefore, I have no claim in any manner from the petitioner in future. I will not initiate any type of litigation against the petitioners in future.

3. I submit that as the matrimonial dispute amicable settled by me and the petitioner. I am giving my consent to allow this quash petition.

4. It is therefore respectfully prayed that his Hon'ble Court may be pleased to take note of the above facts and record the same and allow this quash petition."

5. Earlier Tr.C.M.P.No.408 of 2015 has been filed by Jegadesh, in which the matter was referred to the Mediation Centre, Chennai. Before the Mediation Centre, the parties appear to have entered into settlement. The terms of which are as follows:

"1.The petitioner has agreed to pay a sum of Rs.8,00,000/- (Rupees eight Lakhs only) as a onetime settlement (permanent alimony) to the respondent herein further the petitioner agreed to pay a sum of Rs.1,00,000/- (Rupees one lakh only) to the respondent by way of cash before the Mediation Centre, today itself and the balance amount of Rs.7,00,000/- (Rupees seven lakhs only) will be paid to the respondent at the time of giving her consent in O.P.No.3426/13 to grant decree of divorce at the earliest or at the time of giving evidence in the mutual divorce petition. There shall be no further claim whatsoever on either side.

2.The respondent herein agrees to give her consent to quash the proceeding in C.C.No.1038/2015 & C.C.No.1181/2015 and D.V.C.No.119/2015 on the file of V Metropolitan Magistrate, Egmore Court (at present at Motre Merket Buildings) which initiated based on for complaint.

3.The respondent herein undertakes to not to prefer any compliant or case before any judicial body or form or Court against the petitioner or his family members.

4.The petitioner hereby agreed to return all the articles which are in his custody which belongs to the respondent herein.

5.Both parties should scrupulously adhere to the terms and conditions."

In view of the above, these Criminal Original Petitions are allowed and the proceedings in C.C.Nos.119, 1281 and 1038 of 2015 respectively on the file of V Metropolitan Magistrate, Egmore, Chennai are hereby quashed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsm

To

1. V Metropolitan Magistrate Court,
Egmore, Chennai -8.
2. -Do- The Chief Metropolitan Magistrate,
Egmore, Chennai - 8.
3. The Protection Officer,
District Social Welfare Office,
District Collector's Office Complex,
Singaravelar Maligai, 8th Floor,
Rajaji Salai, Chennai - 600 001.
4. The Inspector of Police,
W-6, AWPS, Secretariat Colony, Chennai.
5. The Public Prosecutor,
High Court, Madras.

1 CC to Mr.T.C.S.Raja Chockalingam, Advocate SR.No. 50706

1 CC to G.M.Sankar, Advocate SR.No. 50774

CrI.OP.Nos.7836, 22996 and 23062 of 2015

KJI (CO)PSI (05.10.2015)