



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2015

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Cr1.O.P. (MD)No.23158 of 2014

WEB COPY

1.Baskar
2.Selvaraj
3.Gnanam
4.Annathai
5.Mayandi Thevar
6.Dhana Lakshmi

.. Petitioners

vs.

Lakshmi

..Respondent

PRAYER: Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records pertaining to the case in M.C.No.2 of 2013 on the file of the learned Judicial Magistrate No.III, Dindigul, Dindigul District and quash the same with respect to the petitioners.

For Petitioners

: Mr.R.Anand

For Respondent

: Mr.Theivendran

ORDER

These petitions have been filed to call for the records relating to the case filed in M.C.No.2 of 2013 on the file of the Judicial Magistrate No.III, Dindigul and quash the same as illegal.

2. On a complaint filed by the wife/ respondent, the petitioners face the proceedings under Section 12 of the Protection of Women from Domestic Violence Act. Such case is now pending in M.C.No.2 of 2013 on the file of the learned Judicial Magistrate No.III, Dindigul. The petitioners and the respondent have filed the Joint Compromise memo to the effect that the the first accused and the respondent have agreed to go for settlement, in which they have categorically decided to separate on their own accord. The respondent has entered appearance through counsel.

3.Considering the circumstances and the decision of the Honourable Apex Court in B.S.Joshi and others Vs. State of Haryana and another AIR 2003 SCC 1386 wherein it is held that it is the duty of the Court to encourage genuine settlement of matrimonial disputes, this Court allows this petition.

4.Accordingly, the proceedings in M.C.No.2 of 2013 on the file of the Judicial Magistrate No.III, Dindigul shall stand quashed.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub- Assistant Registrar

To

1.The Judicial Magistrate No.III,
Dindigul.

+1cc to Mr.R.Anand, Advocate in SR.No.12928