



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 31.07.2017

Coram

The Honourable Mr. Justice C.T. Selvam

Criminal Revision No. 1240 of 2009

WEB COPY

1. Kuppusamy @ Ravi
S/o. Rengasamy

2. Ranagasamy
S/o. Munusamy

3. Saroja
W/o. Rangasamy

...Petitioners

Versus

1. State by Inspector of Police
W.6, All Women Police Station,
Thousand Lights, Chennai-6.

2. Dhatchayini

...Respondents/Complainant

This Criminal Revision is filed under Section 397 and 401 Code of Criminal Procedure praying to set aside order of conviction and sentences dated 07.09.2009 passed in C.A.No.103 of 2008 on the file of the learned Additional Sessions Judge (Fast Track Court No.V) Chennai-1, confirming the judgment dated 26.02.2008 passed in C.C.No.12853 of 2004 on the file of the learned Chief Metropolitan Magistrate, Egmore, Chennai-8, convicting the petitioners herein and sentencing them to undergo 6 months R.I coupled with a fine amount of Rs.1,000/- (One Thousand only) each in default to undergo 3 months S.I under Section 498(A) IPC and to undergo 6 months R.I coupled with a fine amount of Rs.1,000/- each in default to undergo 3 months S.I under Section 4 of the Dowry Prohibition Act.

For Petitioners : Mr. Prabakaran

For Respondent - 1 : Mr. V. Arul,
Addl. Public Prosecutor

Respondent - 2 : Mr. S. Kumarasankar

O R D E R

This Criminal Revision is preferred against two concurrent judgments of Courts below convicting petitioners for offences under Section 498.A IPC and Section 4 of Dowry Prohibition Act and sentencing them to 6 months R.I and a fine of Rs.1000/- each i/d to 3 months S.I for offence under Section 498.A IPC and 6



months R.I and a fine of Rs.1000/- each i/d 3 months S.I for offence under Section 4 of the Dowry Prohibition Act.

2. Heard learned counsel for petitioner, learned Additional Public Prosecutor for first respondent and learned counsel for second respondent.

3. Learned counsel for petitioners submitted that the matter stands compromised between parties and first petitioner agreed to pay a sum of Rs.3,50,000/- (Three lakh fifty thousand only) to the defacto complainant towards full and final settlement. He further submitted that the said amount has been already paid by first petitioner to defacto complainant. Both first petitioner and defacto complainant already filed their mutual divorce petition before Family Court, Chennai. Hence, defacto complainant also agreed to withdraw this Criminal Revision Petition.

4. Learned counsel for second respondent also affirms the submission of learned counsel for petitioner viz., that the matter stands settled between defacto complainant and petitioner.

5. In view of the Joint Memo of Compromise, dated 31.07.2017, signed by both first petitioner and defacto complainant as also their respective counsels, this Court is inclined to allow this Criminal Revision Petition following the dictum of the Supreme Court in B.S.Joshi and others Vs. State of Haryana and another (AIR 2003 SCC 1386).

6. Accordingly, the Criminal Revision Case shall stand allowed. Consequently, petitioners/accused 1, 2, 3 shall stand acquitted of charges against them in C.C.No.12853/2004 on the file of the learned Chief Metropolitan Magistrate, Chennai. Joint Memo of Compromise dated 31.07.2017 shall form part of the records.

Encl:Xerox copy of Compromise memo

mrr

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar



To

1. The Chief Metropolitan Magistrate,
Egmore,
Chennai - 8.

2. The Additional Sessions Judge,
Fast Track Court No.V,
Chennai - 1.

3. The Inspector of Police,
W.6, All Women Police Station,
Thousand Lights,
Chennai - 6.

4. The Public Prosecutor,
High Court,
Madras.

+1cc to Mr.G.Mohana Krishnan, Advocate Sr.No.54668

KS(CO)
sm:5.4.2018

Criminal Revision No. 1240 of 2009