

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2019

CORAM:

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P (MD) No.21783 of 2016

1. P.Navaneethan
2. Meena
3. R.Perumal
4. P.Revathi
5. R.T.Saravana Kumar @ Saravanan .. Petitioners

Vs.

1. The State of Tamil Nadu
Rep. By the Inspector of Police
All Women Police Station
Theni
Theni District

- 2.Kohila ..Respondents/Complainant and
Defacto Complainant

Criminal Original Petition filed under Section 482 Cr.P.C to call for the records in C.C.No.680 of 2013 on the file of the Judicial Magistrate, Theni and quash the same.

For Petitioner : Mr.C.K.M.Appaji

For 2nd Respondents : Mr.J.Suresh

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.680 of 2013 on the file of the Judicial Magistrate, Theni.

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

3. P.Naveethan got married to Kohila on 25.03.2010 and they have a daughter Poorvika. On account of marriage discord they got estranged. Kohila filed a police complaint, based on which a case in all Women Police Station, Theni in Cr.No. 10 of 2013 was registered and after completing the investigation, the police have filed a charge sheet in C.C.No.680 of 2013 before the Judicial Magistrate I, Theni against Naveethan and four others. During the pendency of this prosecution, the parties have arrived at a compromise wide Deed of Compromise dated 27.01.2016 wherein in Clause 8(a), it is stated as follows:

8(a) Her complaint in C.C.No.680 of 2013 on the file of the learned Judicial Magistrate No.1 at Theni, a Charge Sheet filed by All Women Police Station, Theni against the above Revision Petitioners based on the complaint filed by the Respondent Kohila. Further Ms. Kohila undertakes to file compounding petition along with petitioners herein to withdraw the above said case either before the Judicial Magistrate Court at Theni or ensure her full co-operation for the quash petition before the Hon'ble High Court of Madras at Madurai Bench to be filed by the petitioners herein. Also, the Respondent Kohila gave her no objection for withdrawing the sum of Rs.5,00,000/- by the Revision petitioners which has been deposited by them before the Learned Judicial Magistrate at No.1 at Thena in compliance of the condition imposed by the Hon'ble High Court of Madras of Madurai Bench in CrI.O.P.(MD) No.8087 of 2013 while enlarging them on Anticipatory Bail.'

4. Therefore, the accused filed CrI.O.P.No.21783 of 2016 before the Madurai Bench for quashing the prosecution. On the orders of the Hon'ble Chief Justice, the same has been transferred to this Court.

In view of the above compromise arrived at between the parties, CrI.O.P.No.21783 of 2016 stands allowed and the prosecution in C.C.No.680 of 2013 on the file of the Judicial Magistrate I, Theni against all the accused stands quashed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Judicial Magistrate I,
Theni

2.The Inspector of Police
All Women Police Station
Theni, Theni District

3.The Public Prosecutor,
High Court, Madras - 600 104.

+1 cc to M/s.C.K.M.Appaji, Advocate Sr.No. 81247

AKM/25.10.19/3P-5C /

Cr1.O.P (MD) No.21783 of 2016