

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

CRL.O.P.No. 2463 of 2017

A.C.Vijayasekaran

.. Petitioner

Vs

Nirmala

.. Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records and quash the case in C.C. No. 1929 of 2014 pending on the file of the learned V Metropolitan Magistrate, Egmore, Chennai.

For Petitioner : M/s.L.Rajasekar

For Respondent : No Appearance

O R D E R

The prayer sought for in the present petition is to call for the records and quash the case in C.C. No. 1929 of 2014 pending on the file of the learned V Metropolitan Magistrate, Egmore, Chennai.

2. Based on the Memo of Compromise dated 14.10.2014, the marriage between the petitioner and the respondent was dissolved by order dated 11.08.2015, passed in O.P. No.2816 of 2004.

3. As per the Memo of Compromise, both the parties have agreed to end their cases pending before the criminal Courts. After recording of compromise in O.P. No.2816 of 2004, the respondent has failed to co-operate for withdrawing the cases pending before the criminal Courts.

4. Today, when the matter is listed, there is no appearance for the respondent. I am of the view that the respondent is purposely avoiding to co-operate in order to cause hardship to the petitioner. In any case, the respondent is bound to the terms of the Memo of Compromise arrived at between the parties.

5. In view of the same, the proceedings in C.C. No. 1929 of 2014, pending on the file of the learned V Metropolitan Magistrate, Egmore, Chennai is quashed. Accordingly, the Criminal Original Petition No. 2643 of 2017 is allowed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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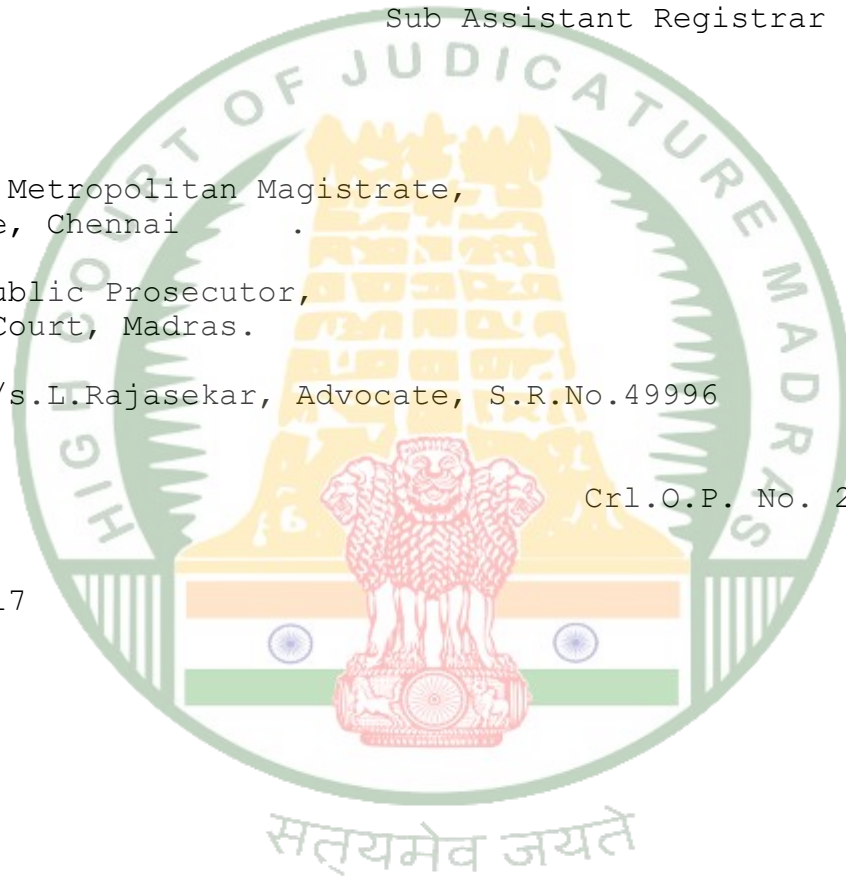
To

1. The V Metropolitan Magistrate,
Egmore, Chennai .
2. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.L.Rajasekar, Advocate, S.R.No.49996

CrI.O.P. No. 2463 of 2017

SV(CO)
CS/03/08/17



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