

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

CRL.O.P.No. 25655 of 2016

1. A.C.Vijayasekaran
2. Sakunthala
3. K. Chitrakleha
4. P. Devika
5. M. Kulasekaran .. Petitioners

Vs

1. State by
The Inspector of Police,
W-1, All Women Police Station,
Thousand Lights, Chennai-600 006.
2. V. Nirmala .. Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records in C.C. No. 13137 of 2005 pending on the file of the Chief Metropolitan Magistrate, Egmore, Chennai and quash the same.

For Petitioner : M/s.L.Rajasekar

For Respondents : Mr.P.Govindarajan
Additional Public Prosecutor - For R1

: No Appearance - For R2

सत्यमेव जयते
O R D E R

Today, in a connected order passed in Crl.OP.No. 2463 of 2017, this Court has made the following order:

"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.

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.

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.

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."

The reasons given in the aforesaid order applies to the facts of the present case.

Accordingly, the proceedings in C.C.No. 13137 of 2005 on the file of the learned Chief Judicial Magistrate, Egmore, Chennai, is quashed.

In view of the same, the present Criminal Original Petition No.25655 of 2016 is allowed.

Sd/-
Assistant Registrar(CS VI)

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Sub Assistant Registrar

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To

1. The Chief Judicial Magistrate,
Egmore, Chennai
2. The Inspector of Police,
W-1, All Women Police Station,
Thousand Lights, Chennai-600 006.
3. The Public Prosecutor,
High Court, Madras.

+lcc to M/s.L.Rajasekar, Advocate, S.R.No.49819

Cr1.O.P. No. 25655 of 2016

SV(CO)
CS/03/08/17