



THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASHCrl.O.P. (MD) Nos.10859 of 2015
and M.P. (MD) .No.1 of 20151.N.Arun
2.S.Natarajan
3.N.Tamilarasi

: Petitioners/Respondents

Vs.

Ms.Felshya Jansirani

: Respondent/Petitioner

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to call for the records in M.C.No.24/2013 (On the file of the Judicial Magistrate No.1, Thoothukudi and quash the proceedings.

For Petitioners : Mr.C.Vijayakumar
For Respondent : Mr.S.Muthalraj**ORDER**

Felshya Jansirani initiated proceedings in M.C.No.24/2013 before the Judicial Magistrate, NO.I, Tuticorin against N.Arun and his family members under the Domestic Violence Act, for quashing which, this petition has been filed by Arun and others on various grounds.

2. During the pendency of this quash application, it appears that the parties have arrived at a compromise and therefore, the case is not decided on merits, but on the fact that the petitioners have arrived at a compromise.

3. Arun and Felshya Jansirani are present and they are identified by their respective counsel. Felshya Jansirani has filed an affidavit before this Court, wherein, she has stated that in connected proceedings in Chennai, the parties were referred to Mediation Centre, in connected litigations before Principal Bench of the Madras High Court in Crl.O.P.No.10112/2016, the parties were referred by this Court (PNPJ) to the Mediation Centre, where, they have appeared to have entered into a memorandum of agreement dated 11.07.2016 on the following terms:

"Both sides, out of their own volition and without



any pressure of coercion from any side have agreed as follows:

1. That the 1st Petitioner namely Felshya janasirani and the respondent have agreed mutually settle dispute between among themselves and also agreed to dissolve the marriage.
2. The Respondent Mr.N.Arun is willing to pay a sum of Rs.16,00,000/- (Rupees Sixteen Lakhs only) in full and final settlement, for which the 1st Petitioner has given the consent thereon.
3. The Petitioners 2 and 5 are only added parties and co-accused, who are not the necessary parties to sign this agreement since the dispute is amicably settled among the 1st Respondent.
4. The 1st Petitioner has to withdraw immediately the case Nos. M.C.No.9/2013 before the Chief Judicial Magistrate Court No.1 Thoothukudi and M.C.. No.24/2013 before judicial Magistrate No.1, Thoothukudi and Cr.No.13/2013 before the all Women Police Station(AWPS), Thoothukudi.
5. Both the parties agreed to not press in H.M.O.P.No.346/2014 before III Additional Sub Court, Madurai file a petition to dissolve the marriage before the Tamil Nadu Mediation and Conciliation Centre, Madras High Court, Chennai.
6. The Respondent Mr.N.Arun paying by way of D.D.No.001431 dated 08.07.2016 for a sum of Rs.8,00,000/- (Rupees Eight Lakhs Only) drawn in favour of 1st Petitioner which has been acknowledged by 1st Petitioner.
7. The Respondent Mr.N.Arun has to file a petition in C.C.No.594/2015 before the XVI Metropolitan Magistrate, George Town, Chennai, immediately on getting the dissolved marriage.
8. The balance amount is payable Rs.8,00,000/- (Rupees Eight Lakhs Only) on 25.07.2016."

4. In view of the above, this petition is allowed and the proceedings in M.C.No.24/2013 on the file of the Judicial Magistrate, No.I, Thoothukudi is hereby quashed. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar



To

1. The Judicial Magistrate No.1,
Thoothukudi

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.C.VIJAYAKUMAR, ADVOCATE IN SR No. 12989

+ 1 CC TO Mr.S.MUTHALRAJ, ADVOCATE IN SR No. 12901

RR

TE/SKN-RSK : 17/04/2017 : 3P/5C

Cr1.O.P.(MD)No.10859 of 2015
and M.P.(MD) .No.1 of 2015
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