



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Friday, the Twenty Sixth day of October
Two Thousand Eighteen

PRESENT

WEB COPY

THE HON`BLE MR.JUSTICE N.ANAND VENKATESH

CRL MP (MD) No.8532 of 2018

IN

CRL OP (MD) No.5305 of 2018

T. NITHYASINI

... PETITIONER/2nd Respondent

Vs

1 G. RAGHUNATH

2 S. GANDEEPAN

3 RENUKA

... RESPONDENTS 1 TO 3/PETITIONERS

4 THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, VIRUDHUNAGAR,

VIRUDHUNAGAR DT.,

...4th RESPONDENT/1st Respondent

PRAYER IN CRL MP (MD).8532/2018:

This Petition filed Under Section 482 of Criminal Procedure Code Praying to permit the petitioner to withdraw the amount of 5 lakhs along with accrued interest from The Additional Registrar General of Madurai Bench of Madras High court, Madurai, as ordered in Crl.OP (MD)No. 5305/2018 dated 13.08.2018 by this Honourable Court.

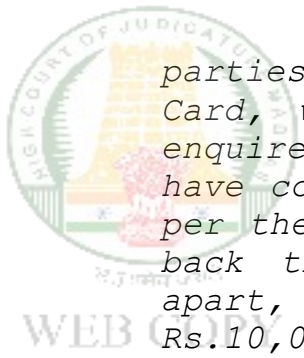
PRAYER IN CRL OP (MD).5305/2018:

This Petition filed Under Section 482 of Criminal Procedure Code praying to direct the respondent Not to Harass the petitioners under the guise of enquiry.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.G.CHANDRASEKAR, Advocate for the petitioner and MR.R.ANANDARAJ, Additional Public Prosecutor for R4 and Mr.M.A.Raja, Advocate for R1 to R3, and this Court made the following order:-

This Court, on 13.08.2018, has passed the following order in Crl.O.P. (MD)No.5305 of 2018:

"4. Today when the matter was called, the parties were present before this Court. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. In order to identify the respective



parties they have also produced the copy of the Aadhaar Card, which is made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. As per the joint compromise, the parties have agreed to return back the articles belonging to second respondent. That apart, the first petitioner agreed to pay a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) to the second respondent towards past and future maintenance and the second respondent has agreed to receive the same in full satisfaction of her maintenance claim.

5. Out of the above said Rs.10,00,000/- (Rupees Ten Lakhs only), by way of Demand Draft No.554743, dated 26.07.2018 for a sum of Rs.5,00,000/- (Rupees Five Lakhs only) drawn in favour of the second respondent was handed over to the second respondent. Balance of Rs.5,00,000/- (Rupees Five Lakhs only) is sought to be deposited before this Court and the first petitioner and the second respondent are in the process of filing the petition for divorce on the ground of mutual consent and as and when the final orders are passed in the petition for divorce on the ground of mutual consent, the amount deposited before this Court will be handed over to the second respondent.

6. The learned counsel for the petitioners is directed to deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) in the name of Additional Registrar General, Madurai Bench of Madras High Court, Madurai. The Additional Registrar General is directed to deposit the same in the interest bearing fixed deposit for a period of one month. As and when proceedings before the Family Court are initiated for divorce by mutual consent and final orders are passed, the second respondent is at liberty to file an appropriate memo before this Court seeking for withdrawal of Rs.5,00,000/- (Rupees Five Lakhs only) along with the accrued interest."

2. The learned Counsel appearing for the petitioner would submit that subsequent to the order passed by this Court, the parties have approached the Subordinate Court, Virudhunagar and filed a petition for divorce on the ground of mutual consent. The Subordinate Court, Virudhunagar, by judgment dated 31.08.2018, has dissolved the marriage. In view of the same, the learned Counsel would submit that petitioner may be permitted to withdraw the amount deposited along with the accrued interest.

3. The learned Counsel appearing for the respondents also agreed with the submissions made by the learned Counsel appearing for the petitioner.

4. In view of the above, the petitioner is permitted to withdraw the amount of Rs.5,00,000/- (Rupees Five Lakhs only) along with interest, by filing a memo before the Additional Registrar General, Madurai Bench of Madras High Court, Madurai. The Additional



Registrar General, Madurai Bench of Madras High Court, Madurai, is directed to disburse the entire amount with interest to the petitioner, within a period of one week from the date of filing of the memo.

5. Accordingly, Crl.M.P.(MD)No.8532 of 2018 is disposed of. In view of the order passed in this Criminal Miscellaneous Petition, no further orders are required to be passed in Crl.O.P.(MD)No.5305 of 2018.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS-IV)

TO

1 THE ADDITIONAL REGISTRAR
GENERAL, MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER DATED :26/10/2018

ORDER

CRL MP (MD) No.8532 of 2018
IN
CRL OP (MD) No.5305 of 2018

TR/RSK/SAR-IV(30.10.2018)3P 2C