



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CRL.O.P. (MD) No.4966 of 2013 and
M.P. (MD) No.2 of 2013

WEB COPY

1. Parameshkannan @ Kumar
2. M.Vaiyapuri @ Sivaji
3. V.Meenakshi
4. Muthukkan
5. Mayakannan
6. Lingam
7. Nanthini

... Petitioners/Accused Nos.1 to 7

Vs.

1. State rep. by,
The Inspector of Police,
All Women Police Station,
Melur, Madurai District.
(Crime No.15 of 2011)

... Respondent No.1/Complainant

2. Suchitra Vidhyalakshmi
- ... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C., to call for the records relating to C.C.No.155 of 2011 pending on the file of the learned Judicial Magistrate, Melur, Madurai District and to quash the same.

For Petitioners : Mr.S.Sukumar

For R-1 : Mr.A.Robinson,
Government Advocate(Crl. Side).

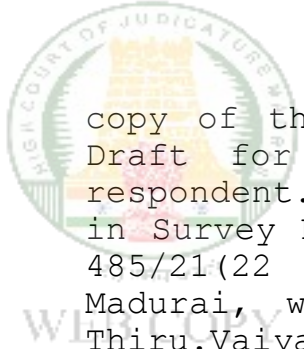
For R-2 : M/s.G.Dhanalakshmi

ORDER

This Criminal Original petition has been filed for quashing the proceedings in C.C.No.155 of 2011 on the file of the learned Judicial Magistrate, Melur, Madurai District.

2. The second respondent is the defacto complainant. When the matter was taken up for hearing, this Court suggested to the parties that it can be amicably resolved. Accordingly, the mediation talks were conducted.

3. The petitioners have agreed to hand over 5 sovereigns of gold to the defacto complainant, namely, the second respondent herein within a period of two months from the date of receipt of a



copy of this order. The petitioners also agreed to take a Demand Draft for a sum of Rs.3,00,000/- to be given to the second respondent. The land measuring an extent of 68.47 cents comprised in Survey Nos.485/13(20 cents), 485/14(13 cents), 485/15(11 cents), 485/21(22 cents), 485/6 (2.47 cents of Karungalakudi Village, Madurai, will be settled in the name of minor son Vignesh and Thiru.Vaiyapuri @ Sivaji will be the guardian.

4. Therefore, the proceedings in C.C.No.155 of 2011 on the file of the learned Judicial Magistrate, Melur, Madurai District, stands quashed.

5. The second respondent is present before me. She has agreed to not to pursue the Maintenance decree, as obtained against her husband in M.C.No.32 of 2014. The second respondent has also agreed to withdraw C.M.A.No.12 of 2017 filed by her questioning the Divorce decree in H.M.O.P.No.111 of 2011.

6. The second petitioner Vaiyapuri @ Sivaji shall withdraw C.C.No.54 of 2012 on the file of the learned Judicial Magistrate, Melur, Madurai District. Since the matter is amicably resolved between the parties, no purpose will be served in keeping the proceedings pending in C.C.No.54 of 2012 alone. Therefore, this Court quashes the C.C.No.54 of 2012 on the file of the learned Judicial Magistrate, Melur, Madurai District.

7. It is made clear that the parties shall not file any further claims against each other. This settlement now arrived at is full and final. The petitioners shall pay a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the defacto complainant within a period of three months from the date of receipt of a copy of this order. The second petitioner herein, Thiru.Vaiyapuri @ Sivaji has filed an affidavit in this regard. The same is taken on record. But then, the order that has now been passed in the presence of the parties as well as the learned counsel on record.

8. The Criminal Original petition stands allowed, accordingly. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Judicial Magistrate,
Melur, Madurai District.



2. The Inspector of Police,
All Women Police Station,
Melur, Madurai District.

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

+1CC to Mr.S.Sukumar, Advocate, SR.No.77359

+1CC to M/s.G.Dhanalakshmi, Advocate, SR.No.77665

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03.08.2018

PMU

ES/RP/SAR 3/27.08.2018/3P/6C