

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 07.08.2019
CORAM
THE HONOURABLE MR. JUSTICE P.VELMURUGAN
Crl.RC.No.594 of 2012

sugantha

.... Petitioner

vs

1.Sivakumar
2.State Rep., by
The Inspector of Police,
All Women Police Station,
Tambaram

....Respondents

Prayer Criminal Revision filed under Section 397 r/w 401 of Code of Criminal Procedure, to set aside the order dated 09.02.2012 passed in Criminal Appeal No.169 of 2006 on the file of the Additional District Court/Fast Track Court No.1, Chengelpet reversing the order dated 17.11.2006 passed in C.C.No.274 of 1997 before the Judicial Magistrate Court, Tambaram.

For Petitioner : M/s.R.Meenal

For Respondents : Mr.N.Nithiyanandam for R1
Mr.T.Shanmugarajeswaran
GA(Crl.Side) for R2

ORDER

The revision petitioner is the wife and the first respondent is her husband. Based on the complaint given by the revision petitioner, the second respondent has registered a case against the first respondent and two others for the offences under Sections 498 (A), 406 and Section 4 of Dowry Prohibition Act. After completion of the investigation, the second respondent laid a charge sheet before the learned Judicial Magistrate, Tambaram. The learned Judicial Magistrate, has taken the charge sheet on file in C.C.No.274 of 1997 and after framing of charges and completing the trial the learned Judicial Magistrate found that the first respondent alone has committed the offence under Section 498(A) IPC and sentenced him to undergo 2 years Rigorous Imprisonment and to pay a fine of Rs.5,000/- in default to undergo one month Simple Imprisonment.

2 Challenging the said judgment, the first respondent herein filed a Criminal Appeal before the learned Principal District and Sessions Judge, Chengalpattu, in turn he made over the appeal to the learned Additional District and Sessions Judge, Fast Track Court No.1, Chengalpattu. After hearing the arguments, the learned Additional District and Sessions Judge, allowed the appeal and set aside the judgment of the learned Judicial Magistrate in C.C.No.274 of 1997.

3 Challenging the said judgment of the acquittal passed by the learned Additional District and Sessions Judge, the victim has filed the present Criminal Revision Case before this Court.

4 During pendency of this Criminal Revision Case, the petitioner and the first respondent were entered into compromise and also they have filed a joint compromise memo before this court. Since the dispute involved in this case is related to matrimonial issues and the petitioner and the first respondent are husband and wife. Further, it is to be noted that the offences against the respondent are compoundable in nature.

5 Considering the relationship of the parties, the nature of the dispute, memo of compromise petition filed by both the parties, the submissions made by either side counsel. This Criminal Revision Case is disposed off.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sbn

To

1.The Additional District Court/Fast Track Court No.1,
Chengelpet

2.The Judicial Magistrate Court,
Tambaram.

3.The Inspector of Police,
All Women Police Station,
Tambaram.

4.The Public Prosecutor,
High Court, Madras-104.

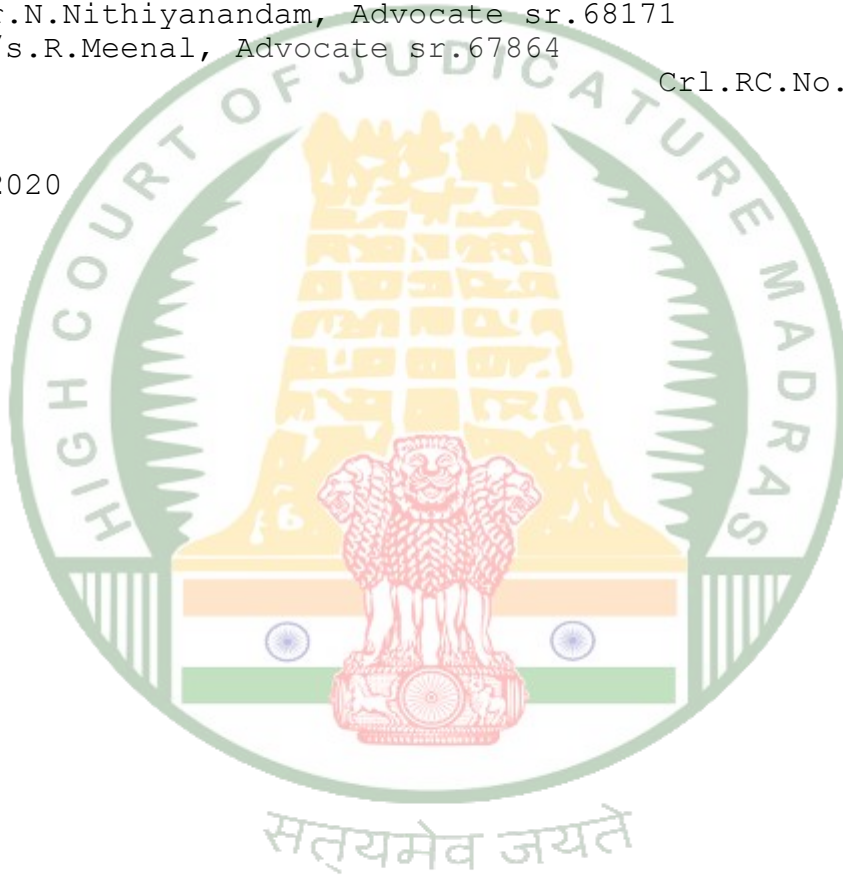
5. The Section Officer,
V.R Section,
High Court, Madras

+1cc to Mr.N.Nithiyanandam, Advocate sr.68171

+1cc to M/s.R.Meenal, Advocate sr.67864

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gmr (co)
nr 09/01/2020



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