

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 14.02.2019

CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3590 of 2014
M.P.No.1 of 2014

1. K.Muralidaran
2. K.Sasikala
3. S.Suganya

... Petitioners/Accused

Vs

1. The Inspector of Police,
All Women Police Station,
Tiruppur.
2. The Inspector of Police,
All Women Police Station,
Karur.
3. The District Social Welfare Officer,
O/o. the District Social Welfare Office,
District Collectorate,
Karur, 639007.
4. M.Indrani

.... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the entire records pertaining to the Charge Sheet No.34 of 2013, dated 15.04.2013 filed by the 1st respondent in C.C.No.402 of 2013 on the file of the Hon'ble Judicial Magistrate Court No.1, Tiruppur and quash the same.

For Petitioners : M/s.R.Selvakumar

For Respondents : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor,
for RR1 to 3

O R D E R

This Criminal Original Petition has been filed to call for entire records pertaining to the Charge Sheet No.34 of 2013, dated 15.04.2013 filed by the 1st respondent in C.C.No.402 of 2013 on the file of the Judicial Magistrate Court No.1, Tiruppur and quash the same.

2. Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the respondents 1 to 3.

3. The learned counsel for the petitioners submitted that pending proceedings in C.C.No.402 of 2013 on the file of the learned Judicial Magistrate Court No.1, Tiruppur, the fourth respondent / de facto complainant and the petitioners have amicably settled the issue among themselves and to that effect, they entered into an agreement dated 07.04.2014, wherein the de facto complainant has stated that she has agreed to withdraw the case in C.C.No.402 of 2013 on the file of Judicial Magistrate No.I, Tiruppur and she has no objection for allowing this quash petition.

4. The terms of the agreement have been filed before the Mediation Centre, which reads as follows:

1. Parties amicably settled the dispute. 1st petitioner representing himself and for 2nd and 3rd petitioners.
2. 1st petitioner / husband and 4th respondent / wife agreed for compromise amicably and both parties agreed for reunion after 9 months for welfare of themselves and female Child Dhiyaa Pragantha aged 4 years.
3. 1st petitioner / husband has agreed to withdraw the Divorce Case in HMOP No.173/2010 on the file of the Sub Judge Court, Thiruppur.
4. The 4th respondent / wife agreed to withdraw the case in C.C.No.402/2013 on the file of Judicial Magistrate No.1, Thiruppur and she has no objection to allow the quash petition filed by the petitioners in CrI.O.P.No.3590 / 2014 on the file of the Hon'ble High Court.
5. The 4th respondent / wife agreed to withdraw the case in D.V.P.No.8/2011 on the file of Judicial Magistrate No.1, Karur.
6. The 1st petitioner / husband has agreed to pay Rs.500/- (Rupees five hundred only) to the 4th respondent / wife / guardian for minor child Dhiyaa Pragantha during every month.
7. The 1st petitioner / husband will reunion with the 4th respondent / wife along with the minor child Dhiyaa Pragantha after nine months in the place decided by the 1st petitioner / husband.
8. The 1st petitioner / husband willing to see his child in her school once in a month with the prior intimation to the 4th respondent / wife at the convenience of the Child.

5. In view of the above submissions and the agreement dated 07.04.2014, the proceedings in C.C.No.402 of 2013 on the file of

the Judicial Magistrate No.I, Thiruppur are quashed. Accordingly, the Criminal Original Petition stands allowed. The terms of the said agreement shall form part of the order. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

pvs

To

- 1.The Judicial Magistrate Court No.1,
Tiruppur.
- 2.The Inspector of Police,
All Women Police Station,
Tiruppur.
3. The Inspector of Police,
All Women Police Station,
Karur.
4. The District Social Welfare Officer,
O/o. the District Social Welfare Office,
District Collectorate,
Karur, 639007.
5. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.3590 of 2014

SJ(CO)

rrs 26/03/2019

सत्यमेव जयते
WEB COPY