

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.21041 of 2017
and CrI.M.P.Nos.12452 & 12453 of 2017

1.S.A.Karthikeyan
2.S.S.Anbu
3.A.Seetha Lakshmi ... Petitioners

Vs.

1. S.Kamalapriya
2. J.Latha ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in D.V.No.05 of 2017 on the file of the Judicial Magistrate No.I, Poonamallee and quash the same.

For Petitioners: Mr.S.Thenmozhi Shivaperumal

For RR1 : Mr.K.Pathu @ Parameswaran

For RR2 : No Appearance

सत्यमेव जयते
ORDER

This petition has been filed to call for the records in D.V.No.05 of 2017 on the file of the Judicial Magistrate No.I, Poonamallee.

2. Earlier on consent of both parties, on 18.01.2019 this Court directed the parties to appear before the Mediation and Conciliation Centre on 28.01.2019 for settlement as such the parties appeared and arrived at settlement between them by filing joint compromise memo, which is extracted hereunder:

"5. The 1st petitioner undertakes to withdraw the O.P.No.16 of 2016 filed against the 1st Respondent for Divorce on the file of the Hon'ble

of the Sub-Court, Tambaram and the 1st Respondent undertakes to withdraw the D.V.5 of 2017 filed against Petitioners on the file of the Hon'ble of the 1st Magistrate, Poonamallee. The 1st Petitioner now paying totally Rs.6,32,000/- by way of 3 Demand Drafts (1) Rs.3,00,000/-by way of Demand Draft No.961279250 dated 25.01.2019 draw on Indian Overseas Bank, Anakaputhur, dated 25.01.2019 in the name 1st Respondent and (2) Rs.1,32,000/- vide D.D.No.267853 drawn on Indian Bank, Anakaputhur Branch, dated 25.01.2019 and (3) Rs.2,00,000/- D.D. for vide No.837218 drawn on Fedral Bank, Anakaputhur Branch dated 25.01.2019 infavour of S.Kamalapriya 1st Respondent herein.

6. The 1st Respondent relinquishes all further, past present and future claims against the petitioners.

7. The 1st Petitioner and the 1st Respondent Articles have been exchanged with each other and no claims against each others.

8. The 1st Petitioner agrees to pay a sum of Rs.2,06,000/- by way of Demand Draft in favour of S.Kamalapriya, the 1st Respondent at the time of taking evidence before the Hon'ble Sub Court, Tambaram and the total amount of Rs.8,38,000/-

9. The 1st Petitioner and the 1st Respondent declare that they have already exchanged their belonging and they do not have any demand against each other in respect of movable properties or immovable properties for the past, present or future.

10. The 1st Petitioner and the 1st Respondent declare that they are living separately for more than 3 1/2 years and they have no intention for reunion.

11. The Petitioners and the 1st Respondent prefer this compromise memo on their free will and volition and that this compromise memo is not filed out of duress, coercion or undue influence and that there is no collusion between the parties.

12. The 1st Petitioner and the 1st Respondent agrees to dissolve the marriage between them which was solemnized on 09.04.2014 and took place in Lc Mahal at Pammal by a decree of divorce by mutual consent."

3. In view of the settlement between the parties, this Court is of view that it is appropriate to allow the prayer sought for by the petitioners as such this Criminal Original Petition is allowed and the case in D.V.No.05/2017 on the file of the learned Judicial Magistrate No.I, Poonamallee is quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

pds/lok

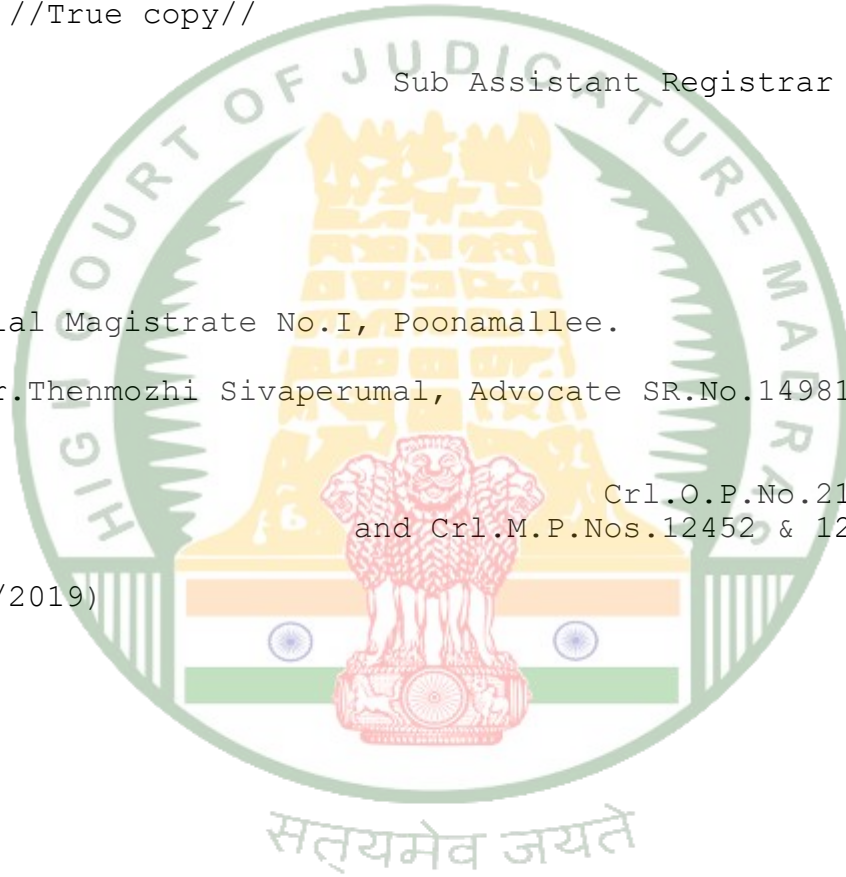
To

The Judicial Magistrate No.I, Poonamallee.

+1cc to Mr.Thenmozhi Sivaperumal, Advocate SR.No.14981

Crl.O.P.No.21041 of 2017
and Crl.M.P.Nos.12452 & 12453 of 2017

BS (CO)
GMY (22/03/2019)



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