



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE: 12.06.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P. (MD) .Nos.5586 and 7135 of 2018
and

Crl.M.P. (MD) .Nos.2691, 2692, 3391 and 3392 of 2018

1. S.Radhika

2. Jaiganesh ... Petitioners in Crl.O.P.No.5586 of 2018/A2 to A5

1. S.Sadhasivam

2. K.Jeyalakshmi ... Petitioners in Crl.O.P.No.7135 of 2018

-Vs-

Dr.R.S.Gayathri Piriyatharsini

... Respondent in both Crl.O.Ps.

Prayer: These Criminal Original Petitions are filed under Section 482 of Cr.P.C., to call for the records relating to the proceedings in D.V.O.P.No.1 of 2018 on the file of the Judicial Magistrate Court No.II, Nagercoil and quash the same as against the petitioners.

For Petitioners : Mr.K.P.Narayanakumar
For Respondent : Mr.B.Rajesh Saravanan

C O M M O N O R D E R

These criminal original petitions have been filed to quash the proceedings in D.V.O.P.No.1 of 2018 on the file of the Judicial Magistrate Court No.II, Nagercoil in respect of the petitioners.

2. The respondent filed a petition in D.V.O.P.No.1 of 2018 under Domestic Violence Act against the petitioners and the same is pending before the learned Judicial Magistrate No.II, Nagercoil. The petitioners are the in-laws of the respondent. Now, to quash the proceedings, the present criminal original petitions have been filed.

3. Today, when the matter was taken up for hearing, the learned counsel appearing for the petitioners as well as the respondent jointly submitted that there is a matrimonial dispute between the parties and they have settled the dispute between



themselves amicably and to that effect, they have also filed a joint compromise memo. Now, the respondent is not willing to prosecute the matter and also agreeing to quash the criminal proceedings.

4. Today, the respondent/defacto complainant and all the petitioners/accused are present. On enquiry, the respondent/defacto complainant submitted that since the dispute has been settled between the parties, she is not interested in prosecuting the case any further.

5. Considering the facts and circumstances of the case and also considering the fact that it is a matrimonial dispute and the parties have amicably settled their dispute between themselves and taking into account the joint compromise memo, this Court is of the view that the criminal proceedings is liable to be quashed.

6. Accordingly, the Criminal Original Petitions are allowed and the criminal proceedings initiated against the petitioners in D.V.O.P.No.1 of 2018 on the file of the Judicial Magistrate Court No.II, Nagercoil is quashed. The Joint Compromise Memo dated 06.06.2019 shall form part of the order. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (co)

// True Copy //

Sub Assistant Registrar(CS)

To

The Judicial Magistrate Court No.II,
Nagercoil.

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Cr1.O.P. (MD) .Nos.5586 and 7135 of 2018
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