



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

Cr1.O.P. (MD) No.9901 of 2014

Balamurugan : Petitioner/Sole Accused
Versus

Grace @ Lakshmi : Respondent/Complainant

Prayer: Petition is filed under Section 482 of the Criminal Procedure Code praying to call for the records in M.C.No.106 of 2014, pending on the file of the learned Judicial Magistrate Additional Mahila Court, Madurai and quash the same.

For Petitioners : Mr.P.Ganapathi Subramanian
For Respondent : No Appearance

O R D E R

This petition has been filed to quash the proceedings initiated under Section 12 of the Protection of Women from Domestic Violence Act, 2005 in M.C.No.106 of 2014, pending on the file of the learned Judicial Magistrate Additional Mahila Court, Madurai.

2.The learned counsel appearing for the petitioner submitted that there is a dispute between the brother and the sister relating to some property owned by their father.

3.Mr.P.Ganapathi Subramanian, learned counsel appearing for the petitioner submitted that now the dispute has been resolved between the parties and the respondent executed a settlement deed in favour of the petitioner and a copy of the settlement deed is also produced before this Court.

4.The counsel for the respondent is continuously absent for three hearings.

5.Though the petitioner alleged that, the matter has been settled between the parties, this Court without hearing the respondent, cannot quash the complaint based on the alleged settlement. Accordingly, the Criminal Original Petition stands dismissed. However, it is open to the petitioner to approach the



trial Court and file necessary application along with a copy of the settlement deed and the trial Court is directed to consider the same and pass suitable orders on merits and in accordance with law. Consequently, the connected miscellaneous petition is closed.

WEB COPY

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Judicial Magistrate Additional Mahila Court,
Madurai.

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

+1 CC to Mr.P.GANAPATHI SUBRAMANIAN, Advocate SR-80796.

Order made in
Cr1.O.P. (MD) No.9901 of 2014
Dated: **07.08.2019**

CS(22.08.2019) 2P 4C