



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.11.2019

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CRL.O.P. (MD)Nos.6165 of 2015 and 15050 of 2019
and M.P. (MD)Nos.1 and 2 of 2015 and
CRL.M.P. (MD)No.8989 of 2019

CRL.O.P. (MD)No.6165 of 2015

1. K.Saravanan	... Petitioner No.1/Accused No.1
2. Kanagaraj	... Petitioner No.2/Accused No.2
3. Koppammal	... Petitioner No.3/Accused No.3
4. Vasantha Rani	... Petitioner No.4/Accused No.4

Vs.

1. The State represented by, The Inspector of Police, All Women Police Station, Sankarankovil, Tirunelveli District. (Crime No.53 of 2013)	... Respondent No.1/ Complainant
2. Archana	... Respondent No.2/Defacto Complainant

PRAYER : Criminal Original petition is filed under Section 482 of Cr.P.C., to call for the records made in C.C. No.759 of 2014 on the file of the learned Judicial Magistrate, Sanakarankoil and to quash the same.

CRL.O.P. (MD)No.15050 of 2019

1. K.Saravanan	... Petitioner No.1/Accused No.1
2. Kanagaraj	... Petitioner No.2/Accused No.2

Vs.

1. The State represented by, The Inspector of Police, Sankarankoil police station, Sankarankoil, Tirunelveli District. (Crime No.246 of 2013)	... Respondent No.1/ Complainant
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2. Archana

... Respondent No.2/Defacto
Complainant

PRAYER : Criminal Original petition is filed under Section 482 of Cr.P.C., to call for the records made in C.C. No.1033 of 2014 on the file of the learned Judicial Magistrate, Sanakarankoil and to quash the same.

(in all Crl.O.Ps.)

For Petitioners : Mr.D.Sivaraman

For R-1 : Mr.A.Robinson,

Government Advocate(Crl. Side)

For R-2 : Mr.R.J.Karthick

C O M M O N O R D E R

The petitioners are figuring as accused in C.C.No.759 of 2014 and C.C.No.1033 of 2014 on the file of the Judicial Magistrate, Sankarankoil, respectively.

2. The defacto complainant in both the cases is one Archana. She got married to K.Saravanan in the year 2012. A male child was born through the wedlock. The marital relationship between them suffered a break down leading to registration of this criminal case. During the pendency of these proceedings, the marital relationship between Saravanan and Archana was dissolved in the manner known to law. After obtaining divorce, the parties went their independent ways and they have also got remarried. The child is however with Archana.

3. I am of the view that in view of these subsequent developments, no purpose will be served in keeping the impugned prosecutions alive.

4. The petitioner herein Saravanan agrees to pay a sum of Rs.1,50,000/- towards maintenance of the minor child as one time settlement. The said settlement amount will be paid directly to Archana who is having custody of the child Avathesh.

5. The learned counsel appearing for accused No.1 Saravanan states that he would take a demand draft favouring Archana and hand over the same to the learned counsel for the defacto complainant by 05.03.2020.

6. The learned counsel on instructions from his client Saravanan states that he will not even seek to exercise visiting rights in respect of the child and the custody as well as the



guardianship of the child Avathesh will remain with Archana. For this, biological father Saravanan has no objection.

7. Likewise Archana will not have any claim whatsoever on the petitioner herein.

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8. Recording the consent arrived at between parties, both the impugned prosecutions are quashed. The criminal original petitions stand allowed on these terms. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar ()

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/ /2020

Sub Assistant Registrar(CS)

To

1. The Judicial Magistrate,
Sanakarankoil.
2. The Inspector of Police,
All Women Police Station,
Sankarankovil,
Tirunelveli District.
3. The Inspector of Police,
Sankarankoil police station,
Sankarankoil, Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-96118[F] dated 05/11/2019)
+1cc to MR.D.SIVARAMAN, Advocate in Sr.No.96186

CRL.O.P.(MD)Nos.6165 of 2015 and 15050 of 2019
and M.P.(MD)Nos.1 and 2 of 2015 and
CRL.M.P.(MD)No.8989 of 2019
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