



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.5371 of 2020
and Crl.M.P.Nos.3036 and 3037 of 2020
&
C.R.P.(PD).No.3966 of 2019
and C.M.P.No.26130 of 2019 and C.M.P.No.3971 of 2020

Crl.O.P.No.5371 of 2020:-

1. Santhosh Kanna
2. V.Thangavel
3. T.Malini
4. K.Kunchipatham

... Petitioners

Vs

Ramya

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for records pertaining to the complaint filed in C.C.No.3 of 2018 on the file of the learned Judicial Magistrate Court, Tambaram, Chennai.

For Petitioners : Mr.A.V.Somasundaram
For Respondent : Mr.R.Sankarasubbu



C.R.P(PD).No.3966 of 2019:-

Santhosh Kanna

... Petitioner

Vs

Ramya

... Respondent

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the fair and decreetal order passed by the learned Principal Subordinate Judge, Tambaram in I.A.No.243 of 2019 in H.M.O.P.No.800 of 2016 dated 13.09.2019.

For Petitioner : Mr.A.V.Somasundaram
For Respondent : Mr.S.Gopinath

COMMON ORDER

The Criminal Original Petition in CrI.O.P.No.5371 of 2020 has been filed to quash the proceeding in C.C.No.3 of 2018 on the file of the learned Judicial Magistrate Court, Tambaram, Chennai, thereby taken cognizance for the offences under Sections 494 and 495 of IPC.

2. The Civil Revision Petition in C.R.P(PD).No.3966 of 2019 has been filed to set aside the fair and decreetal order passed by the learned Principal Subordinate Judge, Tambaram, in I.A.No.243 of 2019 in H.M.O.P.No.800 of 2016 dated 13.09.2019, thereby dismissing the petition to reject the petition for divorce.



3. Pending these petitions, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves before the Mediation Centre of this Court.

4. A Joint Memo of Compromise have been filed before this Court which have been signed by the first petitioner in both the petitions and the respondent in both the petitions and also by their respective counsel. All the parties are present and identified by their respective counsel. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. Under such circumstances, no useful purpose will be served in keeping the proceedings pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.3 of 2018, on the file of the learned Judicial Magistrate Court, Tambaram, Chennai.



6. Accordingly, the Criminal Original Petition in CrI.O.P.No.5371 of 2020 stands allowed and the proceedings in C.C.No.3 of 2018, on the file of the learned Judicial Magistrate Court, Tambaram, Chennai, is hereby quashed. The terms of Joint Memo of Compromise dated 30.06.2022, shall form part and parcel of this Order. Consequently, connected Miscellaneous Petitions are closed.

7. In view of the joint compromise memo, both the parties are at liberty to approach the Court below for appropriate relief. With the above direction, the Civil Revision Petition in C.R.P(PD).No.3966 of 2019 stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous petitions are closed.

12.10.2022

Internet:Yes

Index:Yes/No

Speaking/Non speaking order

mn

To

1. The Principal Subordinate Judge, Tambaram.
2. The Judicial Magistrate Court, Tambaram, Chennai.



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G.K.ILANTHIRAIYAN. J.

mn

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