



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2020

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P.(MD).No.15082 of 2019

and

Crl.M.P(MD) Nos.9006 and 9008 of 2019

1.Arputhasamy
2.Arockiam
3.Beaula

...Petitioners/Accused Nos.2 to 4

Vs.

1.P.Pandeeswari
2.Minor.Joel Jacob
[2nd respondent represented through
his mother and guardian/the first respondent herein]

...Respondents/Complainants

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to to call for the records in D.V.C.No.4 of 2019, on the file of the Judicial Magistrate Court No.I, Virudhunagar and quash the same.

For Petitioners	:	Mr.R.J.Karthick
For R1	:	Mr.R.Pon Karthikeyan

O R D E R

This petition has been filed to quash the proceedings in D.V.C.No.4 of 2019, on the file of the Judicial Magistrate Court No.I, Virudhunagar.

2.The learned Counsel for both parties would submit that the matter was referred to the Mediation and Conciliation Centre and that both parties have amicably settled the disputes and compromised the matter and thereby, would pray that no useful purpose would be served by keeping the proceedings before the lower court pending.

3.A report, dated 21.02.2020 has been received from the Mediation and Conciliation Centre attached to this bench, in which it was recorded that the matter has been settled between the parties and the settlement agreement is extracted hereunder:



"1.Disputes and differences had arisen between the parties hereto and the criminal original petition in Crl.O.P.(MD).No.15082 of 2019 was filed on 16.10.2019 before this Court.

2.The matter was referred to Mediation/Conciliation vide an order dated 10.12.2019 passed by this court.

3.The parties agreed that Mrs.Adline Stella Rajkumar would act as their Mediator/Conciliator.

4.Several meetings were held during the process of Mediation/Conciliation from 19.12.2019 to 21.02.2020 and the parties have with the assistance of the Mediator/Conciliator voluntarily arrived at an amicable solution resolving the above mentioned disputes and differences.

5.the parties hereto confirm and declare that they have voluntarily and of their own free will arrived at this settlement agreement in the presence of the Mediator/Conciliator.

6.The following settlement has been arrived at between the parties hereto:

a)the husband expresses his consent for divorce and has no objection in allowing the I.D.O.P filed, yet to be numbered by the first respondent wife on the file of Principal District Judge, Virudhunagar at Srivilliputhur.

b)The first respondent wife has no objection in quashing the D.V.C.No.4 of 2019, on the file of the Judicial Magistrate No.I, Virudhunagar as against all the respondents therein and agrees to withdraw the same before the lower Court.

c)Both the parties agree that the custody of the child namely, Joel Jacob/the second respondent herein shall be vested with the first respondent wife and the husband waives his visiting right.

d)A sum of Rs.2,00,000/- and 5 sovereigns of jewels is received by the first respondent wife as lumpsum maintenance amount for the first respondent wife as well as the minor child/the second respondent herein.

e)Both the parties agree that there shall be not be any mutual claims between them hereafter."



4.The petitioner and the second respondent have amicably settle their disputes before the Mediation and Conciliation Centre. In view of the above, no useful purpose will be served in keeping the trial in D.V.C.No.4 of 2019, pending before the Judicial Magistrate Court No.I, Virudhunagar. Hence, the proceedings in D.V.C.No.4 of 2019, on the file of the Judicial Magistrate Court No.I, Virudhunagar, is hereby quashed.

5.Accordingly, this Criminal Original Petition stands allowed and the settlement agreement between the parties shall form part of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Sji

Encl.: Xerox Copy of the Settlement Agreement.

To

The Judicial Magistrate Court No.I, Virudhunagar.

+1 CC to M/s.R.PONKARTHIKEYAN, Advocate (SR-8847[F] dated 27/02/2020)

+1 CC to M/s.R.J.KARTHIK, Advocate (SR-9070[F] dated 28/02/2020)

Crl.O.P.(MD).No.15082 of 2019

and

Crl.M.P(MD) Nos.9006 and 9008 of 2019

27.02.2020

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