



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

Crl.R.C.No.309 of 2015

1.Gunasekaran
2.Ramalakshmi

...Petitioners/Accused

Vs.

Kalaiselvi

...Respondent/Complainant

PRAYER: This Criminal Revision Case has been filed under Section 397 and 401 of Cr.P.C., against the judgment passed in C.A.No.123 of 2014, by the learned XVIII Additional City Civil Court, Madras, dated 15.12.2014, for confirming the judgment passed in C.C.No.1470 of 2012 by the learned XVIII Metropolitan Magistrate, Saidapet, Chennai - 15, dated 21.04.2014, for convicting the first revision petitioner herein for the offence under Section 494 of IPC and sentencing him to undergo rigorous imprisonment for one year and Rs.10,000/- fine and convicting the second revision petitioner herein for the offence under Section 494 of IPC read with Section 109 of IPC and sentencing her to undergo rigorous imprisonment for one year and Rs.1,000/- fine for among the other grounds.

For Petitioners : Mr.E.C.Ramesh
For Respondent : Mr.S.Santhosh Kumar

O R D E R

Crl.R.C.No.921 of 2015 has been filed by the wife/respondent in Crl.R.C.No.309 of 2015, for enhancement of sentence and the same was already withdrawn.

2.The present Criminal Revision Case in Crl.R.C.No.309 of 2015 has been filed by the accused persons against the conviction and sentenced passed by both the Courts below.

3.Heard both the learned counsels and perused the materials placed on record.

4.The learned counsel for the husband in Crl.R.C.No.309 of 2015 has filed a memo stating that after the order of conviction and sentence passed by the learned XVIII Additional City Civil Court, Madras and the learned XVIII Metropolitan Magistrate, Saidapet, Chennai - 15, due to the intervention of the elders



and the middle man, the parties have entered into compromise and out come of the compromise has to be filed. In pursuance to the said compromise, parties have filed a divorce petition in O.P.No.4399 of 2017, before the learned II Additional Family Court at Chennai, under Section 13(B) of the Hindu Marriages Act for dissolution of their marriage. Divorce on mutual consent was passed on 30.07.2018.

5.In view of the compromise entered between the parties and also taking note of the fact that pursuant to the terms of compromise parties have moved to Family Court and obtained divorce on mutual consent, this Court is of the considered view that this Criminal Revision can be closed as infructuous.

6.Accordingly, this Criminal Revision Case stands closed as infructuous and conviction passed in C.C.No.1470 of 2012 by the learned XVIII Metropolitan Magistrate, Saidapet, Chennai - 15, dated 21.04.2014 and the same has been modified in C.A.No.123 of 2014, by the learned XVIII Additional City Civil Court, Madras, dated 15.12.2014, is hereby set aside.

s/d-

Assistant Registrar (CS-VII)

True Copy

Sub-Assistant Registrar

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To

1.The XVII Additional Judge
City Civil Court, Madras.

2.The XVIII Metropolitan Magistrate,
Saidapet, Chennai - 15.

+1 CC to Mr.E.C.Ramesh, Advocate sr 42717.

Cr1.R.C.No.309 of 2015

PM(CO)

SP(14/09/2021)