

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P Nos.5179 and 24594 of 2017

and

Crl.MP.Nos.7182,7181, 14219, 14220, 3834 and 3934 of 2017

1.Rajendran

2.Meenal

...Petitioners/Respondents 3 & 2
in Crl.OP.No.5179/2017

.vs.

Iswarya

...Respondent/Petitioner
in Crl.OP.No.5179/2017

1.Naga Ganesh

2.Meenal

3.Rajendhiran

...Petitioners/Accused 1 to 3
in Crl.OP.No.24594/2017

.vs.

1.State Rep.by

Inspector of Police,
All Women Police Station,
Ariyalur.

...1st Respondent/Complainant
in Crl.OP.No.25494 of 2017

2.Iyaswariya

...Respondent/Defacto Complainant
in Crl.OP.No.24594/2017

PRAYER in Crl.OP.No.5179 of 2017 : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records for the records relating to the proceedings in D.V.C.No.29 of 2016, on the file of Judicial Magistrate No.1, Ariyalur, quash the said proceedings insofar as the petitioners are concerned.

PRAYER in Crl.OP.No.24597 of 2017 : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records for the records relating to C.C.No.62 of 2017, on the file of Judicial Magistrate No.1, Ariyalur, quash the said proceedings insofar as the petitioners are concerned.

For Petitioners
(in Both Crl.OPs)

: Mr.I.Abrar Md.Abdullah

For Respondent : Mrs.AL.Ganthimathi
(Crl.OP.No.5179/2017)

For Respondents : Mr.M.Mohamed Riyaz
(Crl.OP.No.24597/2017) Additional Public Prosecutor
for R 1

Mrs.AL.Ganthimathi
for R 2

COMMON ORDER

These criminal original petitions have been filed seeking to quash the proceedings in D.V.C.No.29 of 2016 and C.C.No.62 of 2017, on the file of the learned Judicial Magistrate No.I, Ariyalur.

2.Heard the learned counsel for the petitioners and the learned counsel appearing on behalf of the respondents.

3.This Court after considering the fact that there is a matrimonial dispute between the parties, referred the matter to Mediation for arriving at an amicable settlement by an order dated 04.12.2017.

4.Pursuant to the above order, the parties have arrived at a compromise and a joint memo of compromise entered into between the petitioners and the 2nd respondent, has been filed before this Court. It is clear from the joint memo of compromise that the 2nd respondent has agreed to withdraw all the proceedings against the petitioners. The joint memo of compromise dt.11.11.2019, entered into between the parties shall form part and parcel of this order.

5.**Pursuant to the above terms, it is brought to the notice of this Court that the articles have been handed over to the wife and the custody of the Child was also handed over to the first petitioner (husband). For reason best known to the 2nd respondent, she suddenly wants to change her counsel and she was not present before this Court. All the petitioners are present before this Court.

6.In view of the above development, no useful purpose will be served in keeping the proceedings pending and the same will amount to an abuse of process of law. Accordingly, both the criminal original petitions are allowed and the proceedings in D.V.C.No.29 of 2016 and C.C.No.62 of 2017, on the file of

Judicial Magistrate No.I, Ariyalur, is hereby quashed. Consequently, all the connected miscellaneous petitions are closed.

(*) Copy of Joint Memo of Compromise entered into between the Petitioners and the 2nd Respondent herewith enclosed.

Sd/-
Assistant Registrar (CS.VII)
Dated: 15/03/2021

**** Corrected as per order of this Court dated 22/04/2021 in Crl OP. 5179 & 24594/2017**

**Sd/- Assistant Registrar(CS III)
Dated: 11/05/2021**

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.1, Ariyalur.
2. The Inspector of Police, All Women Police Station, Ariyalur.
3. The Public Prosecutor, High Court, Madras

+2cc to Mr.I.Abrar Md.Abdullah, Advocate SR.NO.13082
+1cc to Mr.AL.Gandhimathi, Advocate, S.R.No. 2414

WEB COPY

CRL.O.P Nos.5179 and 24594 of 2017

GPL(CO)
AKM/16.03.21/ 3P- 6C/
GN(12/05/2021)