



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Crl.O.P. (MD) No.3527 of 2021

WEB COPY

- 1.Kaliraj
- 2.Kannan
- 3.Anjalo
- 4.Christinal Rajathi
- 5.David
- 6.Parasakthi

... Petitioners/Accused No.1 to 6

Vs.

- 1.The State represented by
The Inspector of Police,
All Woman Police Station,
Manamadurai,
Sivagangai District.
In Crime No.6 of 2019

... 1st Respondent/Complainant

- 2.Nancy

... 2nd Respondent/Defacto-
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records in relating to the charge sheet in C.C.No.207 of 2019 on the file of the learned Judicial Magistrate, Manamadurai and to quash the same.

For Petitioners : Mr.N.Ramesh Arumugam

For R1 : Mr.R.M.Anbunithi

Additional Public Prosecutor
(Crl.Side)

For R2 : Mr.S.Vidhya Sagar

ORDER

This Criminal Original Petition has been filed to quash the Charge Sheet in C.C.No.207 of 2018 on the file of the learned Judicial Magistrate, Manamadurai.

2.The contention of the petitioners and the 2nd respondent is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.6 of 2019 for the offences punishable under Sections 498A, 494 and 506 (i) of IPC against the petitioners.

3.It appears that on 26.07.2021, when the matter was taken up for hearing, the 1st petitioner, who is the husband and the 2nd



respondent appeared through video conference. As per compromise, the 1st petitioner promised to pay a sum of Rs.15,50,000/- towards permanent alimony to the 2nd respondent. Both for separated by a decree of divorce.

4. During the course of enquiry, the 2nd respondent/wife submitted that based compromise entered between herself and the 1st petitioner/husband, the 1st petitioner/husband paid a sum of Rs.5,00,000/- directly to the 2nd respondent. Subsequently, on 05.10.2020, the 1st petitioner transferred a sum of Rs.7,00,000/- to the brother of the 2nd respondent, namely, Arockia John Francis Arulraj's Indian Overseas Bank at Manamadurai Branch through NEFT and had paid directly remaining amount of Rs.3,50,000/- to the 2nd respondent. To that effect affidavits have been filed by the petitioner and the 2nd respondent, which has been duly signed by the petitioner and the 2nd respondent and also by their respective counsels.

5. The petitioners and the 2nd respondent appeared through video conference from the Office of the learned Additional Public Prosecutor (Crl.Side) along with their counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor and the Investigation Officer. Both the parties to compromise were enquired by me and they accepted the terms of compromise. Hence the terms of compromise is recorded.

6. Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners and also in view of the joint compromise, dated 29.07.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending.

7. In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.207 of 2019 on the file of the learned Judicial Magistrate, Manamadurai is hereby quashed and the terms of the joint compromise shall form part of this order.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Mm

Enclose here with copy of the Joint Compromise memo

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct



copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Judicial Magistrate, Manamadurai.

2.The Inspector of Police,
All Woman Police Station,
Manamadurai, Sivagangai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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RD(9.08.2021) 3P 4C