



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE:10.12.2021

CORAM

THE HONOURABLE MR.JUSTICE **K.MURALI SHANKAR**

Crl.O.P. (MD)No.2033 of 2019

and

Crl.M.P. (MD)Nos.1079 and 1080 of 2019

WEB COPY

1.Ramanathan
2.Thaiammal : Petitioners

Vs.

1.The Inspector of Police,
All Woman Police Station,
South Madurai.

2.Vinothini : Respondents

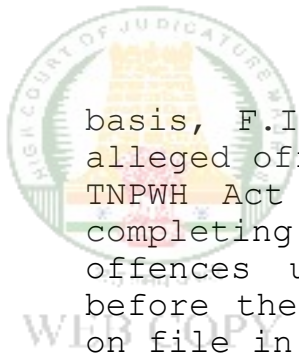
PRAYER: Criminal Original Petition has been filed under Section 482 Cr.P.C, to call for the records in respect of the case in C.C.No.21 of 2015, on the file of the Court of the Additional Mahila Court, Madurai and to quash the same in respect of the petitioners.

For Petitioners	:	Mr.P.Balamurugan
For Respondents	:	Mr.R.Sivakumar
		Government Advocate (Crl.Side)
		for R.1
	:	Mr.B.Kannan
		for R.2

ORDER

The above Criminal Original Petition has been filed seeking orders to quash the charge sheet filed in C.C.No.21 of 2015, on the file of the Additional Mahila Court, Madurai.

2. It is not in dispute that the marriage between the first petitioner and the second respondent was solemnised on 05.04.1999 and they were blessed with two children. The second petitioner is the sister of the first petitioner. It is also not in dispute that subsequently, there arose misunderstanding between them and the first petitioner filed a petition in H.M.O.P.No.656 of 2014 seeking restitution of conjugal rights, whereas the second respondent has filed a petition for divorce in H.M.O.P.No.476 of 2016 and both petitions are now pending on the file of the Family Court, Madurai. In the meanwhile, the second respondent filed a complaint before the learned Judicial Magistrate under Section 156(3) Cr.P.C., and the same was forwarded to the concerned police station and on that



basis, F.I.R., came to be registered in Cr.No.26 of 2014, for the alleged offences under Sections 294(b), 323, 506(i) I.P.C., r/w 4 of TNPWDH Act against the petitioners. The first respondent, after completing the investigation has laid a charge sheet for the offences under Sections 294(b), 498(A), 406 and 506(i) I.P.C., before the Additional Mahila Court, Madurai and the same was taken on file in C.C.No.21 of 2015 and the same is pending.

3. At the instance of parents of both parties and also the elders of their family, the first petitioner and the second respondent have entered into a compromise vide document dated 15.11.2021 and whereunder both of them have mutually agreed to withdraw all the pending cases and further agreed to file a petition for mutual divorce before the Family Court, Madurai. In pursuance of the said compromise, they have filed a joint memo of compromise along with the affidavit of the second respondent.

4. The petitioners and the second respondent are present before this Court and they are identified by their Counsel as well as by the first respondent police. On enquiry by this Court, the parties have accepted the terms of the settlement. Hence, the compromise memo is recorded.

5. Considering the entire facts and circumstances, the nature of the charges levelled against the petitioners and also the fact that the parties have entered into compromise vide document dated 15.11.2021 and filed the joint memo compromise and the same is recorded, this Court is of the view that no useful purpose would be served in keeping the matter pending. Consequently, all the proceedings in C.C.NO.21 of 2015 pending on the file of the Additional Mahila Court, Madurai are quashed.

6. In the result, this Criminal Original Petition stands allowed. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SSL

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 Special Judge,
Additional Mahila Court, Madurai.
- 2.The Inspector of Police,
All Woman Police Station,
South Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.2033 of 2019
10.12.2021

MGJ(13.12.2021) 3P 4C