



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.3516 OF 2022

- 1.T.Deepika
- 2.T.Pavithra
- 3.Thirunavukarasu
- 4.Lakshmi
- 5.Iyappan
- 6.N.Gopinath
- 7.Mohan

...Petitioners/
Accused

-Vs-

1. The State rep by,
The Inspector of Police,
Taluk Police Station,
Villupuram.

2. S.Arasi

.. Respondents/
Defacto Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, praying to call for the records in Cr.No.50 of 2021 pending on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.K.Bommuraj
For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor for R1
No appearance for R2

O R D E R

The Criminal Original Petition has been filed to call for the records in Cr.No.50 of 2021 pending on the file of the 1st respondent police.

2.The case is under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.



3.A Memorandum of Understanding has been filed before this Court, which have been signed by the 1st petitioner/wife and the son of the defacto complainant/husband of the 1st petitioner and all the parties to the proceedings are present before this Court and they were identified by their respective counsel. This Court also enquired both the parties and satisfied that the parties have come to an amicable settlement between themselves. The content of the Memorandum of Understanding is extracted hereunder:-

'1. Both parties will file the petition for divorce by mutual consent on any earliest mutually convenient date for either parties as soon as the lock down is eased before the Hon'ble Family Court at Chennai.

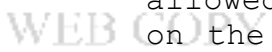
2. The First Party will return the house hold articles and the jewels of the Second Party as per the List in the Annexure-1 to this MOU on the date of filing of the mutual consent divorce petition. The First Party will bring the articles and jewels to the Family Court, Chennai from Villupuram and return the same to the Second Party on the date of filing of the mutual consent divorce petition.

3. The Second Party will return the gold jewels of the First Party as per the List of Jewels given in the Annexure -2 to this MoU on the date of filing of the mutual consent divorce petition.

4. The Second Party will withdraw the Maintenance case in M.C.No.162 of 2020 before the Hon'ble VII Addl. Family Court at Chennai and also withdraw the Domestic Violence case in D.V.C.No.31 of 2020 before the Hon'ble XVII Metropolitan Magistrate Court at Saidapet, Chennai on the date of filing of the mutual consent divorce petition.

5. The First Party will withdraw the divorce case in H.M.O.P.No.113 of 2020 filed before the Hon'ble Family Judge at Villupuram, on the date of filing of the mutual consent divorce petition which is already transferred to the Hon'ble VII Addl. Family Court at Chennai or as soon as the same is renumbered and notice of date of hearing is received by the parties to this MoU.

6. The Second Party will take responsibility to give written apology by her relative N.Gopinath to the First Party for the false statements and allegations made against the First Party, his mother Mrs.Arasi and his family members before all the authorities soon after filing the mutual consent divorce petition and prior to the date of filing of the mutual consent divorce petition.



5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime.No.50 of 2021 on the file of the 1st respondent police, Taluk Police Station, Villupuram is quashed and the Memorandum of Understanding shall form part and parcel of this order.

Sd/-
Assistant Registrar (CO)

Sub Assistant Registrar

1. The Inspector of Police,
Taluk Police Station,
Villupuram.

Copy To

2 XVII Metropolitan Magistrate,
Saidapet, Chennai.

+1cc to Mr.J.Saravana Vel, Advocate, S.R.No.19286

Cr1.O.P.No.3516 of 2022

<https://hcservices.ecourts.gov.in/hcservices/>