



CrI. O.P. No. 14682 of 2022

For Petitioner	...	Mr.Suyesh Palande
For respondents	...	Mr.A.Gokulakrishnan Additional Public Prosecutor for R.1
		Mr.M.S.Charles for R.2.

ORDER

This Criminal Original Petition has been filed to quash the case registered in Crime No.5 of 2021, pending on the file of The Inspector of Police, W 4 All Women Police Station, Kilpauk, Chennai, first respondent, for the offences punishable under Sections 294 (b), 498 (A) of the Indian Penal Code and Section 67 of the Information Technology Act, 2000.

2. Facts of the case in a nutshell are as follows:-

Marriage between the first petitioner and defacto complainant was solemnized on 4/9/2014. Due to some misunderstanding, second respondent, lodged a complaint, dated 12/4/2021, before the first respondent in Crime No.5 of 2021 for the offences punishable under Sections 498 (A), 294 (b) of the Indian Penal Code and Section 67 of the Information Technology Act.



3. First petitioner filed a petition for divorce against the second respondent in O.P.No.974 of 2021 before the learned VII Additional Family Court, Chennai and second respondent filed a Maintenance Case in M.C.No.224 of 2021, on the file of the learned VII Additional Family Court, Chennai. This Court, vide, order, dated 27/6/2022, directed the parties to appear before the Mediation Center. Accordingly, the first petitioner and second respondent appeared before the Mediator and compromised the dispute and entered into a Settlement Agreement dated 22/11/2021.

4. Heard Mr.Suyesh Palande, learned counsel for the petitioners, Mr.A.Gokulakrishnan, learned Additional Public Prosecutor for the first respondent and Mr.M.S.Charles, learned counsel for the second respondent.

5. Today when the matter is taken up for hearing, petitioners and defacto complainant were present. All the parties were identified by their respective counsel and Police. Settlement Agreement, dated 22/11/2021, entered into between the parties, was produced before this Court.

6. On enquiry, the defacto complainant submitted that they have



amicably settled the matter, outside the Court and prays this Court to quash F.I.R.in Crime No.5 of 2021, pending on the file of the first respondent.

7. A perusal of the Settlement Agreement, dated 22/11/2021, would indicate that both the first petitioner and defacto complainant have arrived at an amicable settlement. In the Settlement Agreement, it is recorded that the first petitioner agreed to settle Rs.80,00,000/- (Rupees Eighty lakhs only), to the second respondent as permanent alimony and maintenance for her and child. The first instalment for a sum of Rs.25,00,000/- was paid on 22/11/2021 and the balance amount of Rs.55,00,000/- will be paid on the date of filing the proof affidavits in the O.P.SR.No.5689 of 2021, at the time of recording evidence before the Family Court. Till the realisation of the second instalment by the second petitioner, first petitioner agrees to pay the second respondent a sum of Rs.30,000/- on or before 5th of every month, as maintenance for the second respondent and child.

8. Keeping in view the facts and circumstances of the case, as the matter has been settled between the parties, this Court is inclined to quash all the proceedings emanating from F.I.R.No.5 of 2021, pending on the file of the



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Inspector of Police, W.4 All Women Police Station, Kilpauk, Chennai, first respondent.

9. Accordingly, this Original Petition is allowed and F.I.R in Crime No.5 of 2021, pending on the file of the Inspector of Police, W 4 All Women Police Station, Kilpauk, Chennai, first respondent is quashed. Joint Memo of Compromise, entered into between the petitioners and second respondent shall form part of the records. Consequently, connected Criminal Miscellaneous Petition is closed.

11/7/2022

Index : Yes / No
Internet: Yes
Speaking/non speaking order
mvs.

To

1. The Inspector of Police
W 4 All Women Police Station
Kilpauk
Chennai.
2. The Public Prosecutor
Madras High Court.

N. SATHISH KUMAR, J

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