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Crl.M.P.No.18314 of 2022

Crl.M.P.No.18314 of 2022
in Crl.O.P.No.20938 of 2020

T.V.THAMILSELVI,J.

Earlier on 20.12.2022, this Court allowed this miscellaneous petition filed by the fourth accused and directed the Registry to list the matter under the caption "for reporting compliance" and also, after perusing the fact that the parties are agreed for settlement, this Court directed the parties to appear before this Court on 11.01.2023(today) through video conference, since the de-facto complainant and the first accused/husband of the de-facto complainant are at abroad.

2. Today, when the matter was taken up for hearing, the de-facto complainant and the first accused appeared through video conference. Presently, the de-facto complainant is perusing her higher studies at Sydney and the first accused is working at Muscat. When this Court enquired the de-facto complainant, she stated that she is not inclined to live with A1 and she had already received her articles from A1 and she also stated that she will not make any claim or further amount from A1. The de-facto complainant also agreed that she will withdraw the criminal case lodged against A1 and his family members.



Crl.M.P.No.18314 of 2022

This Court suggested A1 to pay a sum of Rs.3,00,000/- totally instead of some of the articles pending with A1.

3. Learned counsel appearing for the first accused has produced the demand draft for a sum of Rs.3 lakhs before this Court and stated that both the de-facto complainant and Veeraragavan/A1 are not inclined to live together and they are ready to get divorce by mutual consent. He further prayed that the amount of Rs.3lakhs may be permitted to be deposited to the credit of crime number and the same may be permitted to be withdrawn by the de-facto complainant after filing of the petition for mutual consent.

4. Learned counsel for the de-facto complainant submitted that the de-facto complainant is not inclined to live with her husband and ready to give divorce by mutual consent. He further submitted that due to her higher studies, she is not able to come to India at present and she is coming to India only during the month of June 2023 and thereby, he requested that the de-facto complainant may be permitted to file her divorce application after the month of June 2023.

5. Taking into consideration the compromise entered into between the



Crl.M.P.No.18314 of 2022

parties and the submissions made by them, this Court directs both the de-facto complainant and the first accused to file their mutual consent application preferably in the month of August 2023 as represented before this Court. On filing of such application for mutual consent, the de-facto complainant is permitted to withdraw the amount of Rs.3 lakhs, which is deposited by the first accused. Thereafter, A1 and the other accused in the crime number are at liberty to file the petition to quash the FIR registered as against them along with the joint compromise memo signed by both the parties before the Court concerned.

6. Further, as both the parties are agreed for mutual consent and since, they are living in abroad, the Family Court concerned is directed to receive petition for mutual consent along with the dispensed application on waiving six months period and dispose of the petition within a short period of time, since both of them are presently residing at abroad, as they already entered into compromise for Divorce by mutual consent.

11.01.2023

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