



Crl.R.C.(MD)No.65 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2022

CORAM:

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.R.C.(MD)No.65 of 2020

Sivamani

... Petitioner

Vs

1. The Sub Inspector of Police,
All Women Police Station, Alangudi,
Pudukkottai District
(Crime No.146 of 2008).

2. Sasikala Devi
(R2 is *suomotu* impleaded as per order
of the Court, dated 11.11.2022)

... Respondents

Prayer: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to set aside the order in Crl.A.No.08/2015, on the file of the Addl. District and Sessions Judge/Presiding Officer Special Court for E.C. and NDPS Act Cases, Pudukkottai, dated 01.11.2019, confirming the conviction and sentence in C.C.No.100 of 2009, on the file of Judicial Magistrate, Alangudi, dated 12.01.2015.

For Petitioner : Mrs.A.Banumathy

For Respondent : Mr.S.Manikandan (R1)
Government Advocate (Crl.Side)



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ORDER

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Challenging the order dated 01.11.2019, in Crl.A.No.08/2015, passed by the learned Additional District and Sessions Judge/Presiding Officer Special Court for E.C. and NDPS Act Cases, Pudukkottai, this Criminal Revision Case has been preferred.

2.The revision petitioner was arrayed as the first accused in C.C.No.100 of 2009, on the file of Judicial Magistrate, Alangudi, which was tried for the offences punishable under Sections 498(A) IPC and Section 4 of Dowry Prohibition Act. He was convicted and sentenced to undergo rigorous imprisonment for one year and to pay a fine of Rs.1,000/- against each offences. Challenging the above said conviction, the petitioner has preferred Appeal in Crl.A.No.8 of 2015 before the Appellate Court, which was also ended against him. Now, challenging the above said concurrent finding, the revision has been preferred.

3.Pending revision, today, when the matter is taken up for hearing, it is stated on the side of the revision petitioner that the matter has been compromised between the parties and filed a compromise memo to that effect.



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4.Though the offences are non-compoundable in nature, as mentioned above, there was a compromise between the parties and all the disputes between them have been settled. By exercising the power under Section 482 of Cr.P.C, the matter can be disposed of, in view of the compromise that has been reached.

5.Though the parties have not come forward, with regard to the details of the compromise, that has been reached between themselves, both parties appeared before this Court and stated that they have settled their entire issues and they did not want to precipitate the matter any further since they decided to separate. Since it is a matrimonial dispute, it may not be proper to proceed on the basis of records in the revision, though it is a case of concurrent finding and it is liable to be set aside.

6.In view of the above, this Criminal Revision Case is allowed and the conviction that was passed in the trial Court, which was confirmed in Crl.A.No.08/2015, by the learned Additional District and Sessions Judge/Presiding Officer Special Court for E.C. and NDPS Act Cases, Pudukkottai are set aside. Fine amount, if any paid, shall be refunded to the



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revision petitioner. The joint compromise memo shall form part and parcel of this order.

02.12.2022

Index :Yes/No

Internet:Yes/No

PNM

To

1. The Addl. District and Sessions Judge/
Presiding Officer Special Court for E.C. and NDPS Act Cases,
Pudukkottai
2. The Judicial Magistrate, Alangudi
- 3.The Sub Inspector of Police,
All Women Police Station, Alangudi,
Pudukkottai District
(Crime No.146 of 2008).
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN,J.

PNM

ORDER IN

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