



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:20.04.2022

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVAN

Crl.OP(MD)No.3594 of 2019

and

Crl.MP(MD)Nos.2058 & 2059 of 2019

WEB COPY

1.P.R.Manikandan
2.R.Rajammal
3.R.Balaguruswamy
4.R.Rajendiran
5.B.Subha
6.R.Rajeswari
7.A.Packialakshmi
8.P.Muthulakshmi

... Petitioners/Accused No.1 to 8

vs.

1.The State rep by
The Inspector of Police,
All Women Police Station,
Thiruparankundram,
Madurai District.
(Crime No.37 of 2014.)

... Respondent/Complainant

2.R.Swathka Devi

... Respondent/Defacto Complainant

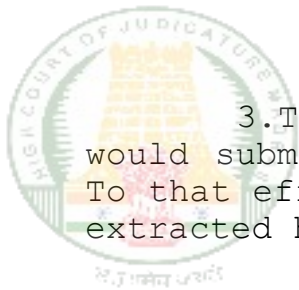
PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to Final Report in C.C.No.110 of 2017 in Crime No.37 of 2018 on the file of Additional Mahila Court, (Magistrate Level) Madurai, and to quash the same.

For P1, P2, P4 & P7: Mr.V.Prabhakaran
For P5, P6 & P8 : Mr.Azhagam Perumal
For P3 : No Appearance
For R1 : Mr.P.Kottai Chamy
Government Advocate (Crl.Side)
For R2 : Mr.J.Barathan

O R D E R

This petition is filed seeking quashment of C.C.No.110 of 2017 in Crime No.37 of 2018 on the file of Additional Mahila Court, (Magistrate Level) Madurai.

2.The first petitioner, who is the husband of the defacto complainant and the defacto complainant are present in person before this Court. On enquiry, she stated that she has agreed for final settlement of Rs.1,50,000/- and compromised the issue.



3.The learned counsel appearing for the defacto complainant would submit that the matter has been settled between the parties. To that effect, they have also filed joint compromise memo, which is extracted here under:-

"

2. the 1st petitioner undertakes to settle Rs.1,50,000/- as full and final settlement to the 2nd Respondent out of which the 1st Petitioner agrees to pay Rs.50,000/- on 20.04.2022 by way of Demand Draft in favour of the 2nd Respondent at the time of quashing the final report against all the petitioners in Crl.OP(MD)No.3594 of 2019 in C.C.No.110 of 2017 on the file of the learned Additional Mahila Court at Madurai and agree to pay the balance amount of Rs.1,00,000/- at the time of 2nd Respondent withdrawing GWOP No.13 of 2017, I.A.No.511 of 2016 and I.A.No.378 of 2017 in H.M.O.P.No.918 of 2015 on the file of the learned Family Court at Madurai.

3. the 2nd Respondent undertakes to co-operate before the Hon'ble High Court of Judicature at Madras, Madurai Bench in quashing the final report in in C.C.No.110 of 2017 on the file of the learned Additional Family Court at Madurai against all the Petitioners in Crl.OP(MD)No.3594 of 2019 which will come up on 20.04.2022. before the Hon'ble High Court of Judicature of Madras, Madurai Bench.

4. the 1st Petitioner hereby agrees to pass a decree of divorce between the 1st Petitioner and the 2nd Respondent before the learned Family Court at Madurai in H.M.O.P.No.918 of 2015 without allegations and the 2nd Respondent undertakes to withdraw the allegations against the 1st Petitioner in the decree of divorce. In pursuance of the same, the learned Family Court, Madurai shall pass a decree of divorce in H.M.O.P.No.918 of 2015 based on this memorandum of compromise.

5. the 2nd Respondent undertakes to withdraw the petition in GWOP No.13 of 2017, I.A.No.511 of 2016 and I.A.No.378 of 2017 in H.M.O.P.No.918 of 2015 on the file of learned Family Court, Madurai and she is agreeing for the custody of the child Harishkesh to be with the 1st Petitioner permanently and she will not claim any custody of the child in future.

6. both the 1st Petitioner and the 2nd Respondent exchange their articles with each other and nothing is pending with each other and both the parties



7. this is the full and final settlement between the parties and both the 1st petitioner and the 2nd Respondent agreeing upon the above terms and conditions and signed this joint memo of compromise fee of will, consciously and without any compulsion, force or undue influence."

4. In view of the above said terms of compromise reached between the parties, the proceedings in C.C.No.110 of 2017 in Crime No.37 of 2018 on the file of Additional Mahila Court, (Magistrate Level) Madurai, is quashed. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Protocol)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Dss

To

1. The Judge,
The Additional Mahila Court,
(Magistrate Level),
Madurai,
2. The Inspector of Police,
All Women Police Station,
Thiruparankundram,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.R. JEYAPALAM, Advocate (SR-20024[F]
dated 21/04/2022)

+3 CC to M/s.V. PRABHAKARAN, Advocate (SR-20199, SR-20200, SR-20201
[F] dated 21/04/2022)

Crl.OP(MD)No.3594 of 2019 and
Crl.MP(MD)Nos.2058 & 2059 of 2019
20.04.2022

KG (CO)

GC (31.05.2022) 3P 8C

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