



Crl.O.P.(MD) No.19044 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2022

CORAM

THE HON'BLE MR.JUSTICE **SATHI KUMAR SUKUMARA KURUP**

CRL.O.P(MD)No.19044 of 2022

1.Ra.Srinivas Balan
2.S.Rajagopalan
3.Ramani
4.Devi
5.Mohan

...Petitioners

vs

1.State represented by the
Sub Inspector of Police,
All Women Police Station,
Thallakula, Madurai City.
(Cr.No.18 of 2016)

2.S.Jebaseeli

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to the Calender Case in C.C.No.102 of 2017 on the file of the learned Judicial Magistrate/Additional Mahila Court, Madurai and to quash the same against the Petitioners as illegal.

For Petitioner
For R1

For R2

: Mr.N.Sudhagar Nagaraj
: Mr.B.Nambi Selvan
Additional Public Prosecutor
:Mr.B.Rooban



Crl.O.P.(MD) No.19044 of 2022

ORDER

WEB COPY

This Criminal Original Petition is filed to quash the case in C.C.No.102 of 2017 on the file of the learned Judicial Magistrate/Additional Mahila Court, Madurai.

2.On compromise arrived at between the parties, Mr.N.Sudhagar Nagaraj,(Mob.No.99945 98845, Enrl.No.520/2005) learned Counsel for the Petitioners seeks to quash the charge sheet in C.C.No.102 of 2017 on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai. A memo of compromise is also produced before this Court.

3.The learned Additional Public Prosecutor vehemently objected to quash the charge sheet on the ground that this Court on an earlier occasion in Crl.O.P.(MD)No.20859 of 2021, directed the learned Judicial Magistrate, Additional Mahila Court, Madurai. to dispose of the case in C.C.No.102 of 2017 within a period of eight months from the next hearing date. The date of order of this Court is 03.01.2022.

4.Mr.K.Raj Divagar (Mob.No.99447-77331, Enrl.No:2793/2008), learned Counsel representing Mr.B.Rooban, (Mob.No.94435-72694,



Crl.O.P.(MD) No.19044 of 2022

Enrl.No.450/2002) learned Counsel for the second Respondent/De-Facto Complainant. The learned Counsel for the second Respondent/De-Facto Complainant is directed to file a notarised affidavit regarding receipt of the Demand Draft of Rs.11,00,000/- as one time settlement from the Petitioner, vide D.D.No.541234 (State Bank of India, dated 23.09.2022.

5.Since the De-Facto Complainant had been paid permanent alimony of Rs.11,00,000/-, she does not intend to proceed to prosecute the case.

6.In view of the submissions made by the learned Counsel for the Petitioner, this Petition is allowed and the charge sheet in C.C.No. 102 of 2017 on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai, is quashed. The Memo of Compromise shall form part of this order.

Index:Yes/No
cmr
To

31.10.2022

- 1.The Judicial Magistrate/Additional Mahila Court, Madurai.
- 2.The Sub Inspector of Police,
All Women Police Station,
Thallakula, Madurai City.



WEB COPY



Crl.O.P.(MD) No.19044 of 2022

SATHI KUMAR SUKUMARA KURUP, J.

cmr

CRL.O.P(MD)No.19044 of 2022

31.10.2022