



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.(MD) Nos.15252 and 16508 of 2021  
and CrI.M.P(MD) No.8898 of 2021

WEB COPY

G.Punitha ...Petitioner in CrI.O.P(MD) No.15252 of 2021

1.Thiyagarajan

2.Kasthuri ... Petitioners/Accused No.2&3  
in CrI.O.P(MD) No.16508 of 2021

Vs.

1. The Superintendent of Police,  
Theni District,Theni.

2. The Inspector of Police,  
All Women Police Station,  
Theni District.

3. The Branch Manager,  
Canara Bank,  
Grand Central Branch,  
Madurai.

4. P.Thiyagarajan

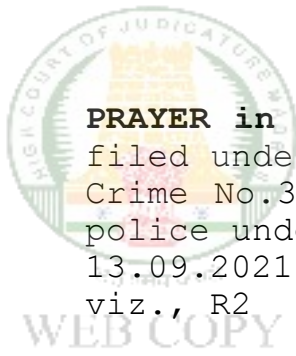
5. Prabhakaran  
(R5 Suo motu impleaded vide order  
dated 06.10.2021) ...Respondents in CrI.O.P(MD)  
No.15252 of 2021

1. The Inspector of Police,  
All Women Police Station,  
Theni District.

2. Punitha @ Yogitha

3. Prabhakaran  
(R3 Suo motu impleaded vide order  
dated 28.10.2021) ...Respondents /Defacto Complainant  
in CrI.O.P(MD)No.16508 of 2021

**PRAYER in CrI.O.P(MD) No. 15252 of 2021:** Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the 3<sup>rd</sup> respondent not to permit to open the locker no.429 by the 4<sup>th</sup> respondent till the disposal of the Cr.No.31 of 2021 dated 13/09/2021 based on the petitioner's representation dated 30/09/2021.



**PRAYER in Crl.O.P(MD) No. 16508 of 2021:** Criminal Original Petition filed under Section 482 Cr.P.C. praying to quash the impugned FIR in Crime No.31 of 2021 registered on the file of the first respondent police under Sections 498(A), 406, 323, 109 and 506(ii) of IPC dated 13.09.2021 registered on the complaint of the defacto complainant viz., R2

(In Crl.O.P(MD) No.15252 of 2021)

For Petitioner : Mr.S.R.Shyam  
For Respondents : Mr.R.M.Anbunithi  
No.1 & 2 Additional Public Prosecutor  
For Respondents : Mr.Pala.Ramasamy  
No.3  
No.4 and 5 : No appearance

(In Crl.O.P(MD) No.16508 of 2021)

For Petitioner : Mr.P.M.Vishnu Varthanan  
For Respondents : Mr.R.M.Anbunithi  
No.1 Additional Public Prosecutor  
For R2 : Mr.S.R.Shyam  
For R3 : No appearance

**ORDER**

Crl.O.P(MD) No. 15252 of 2021 has been filed to direct the 3<sup>rd</sup> respondent not to permit to open the locker no.429 by the 4<sup>th</sup> respondent till the disposal of the Cr.No.31 of 2021 dated 13/09/2021 based on the petitioner's representation dated 30/09/2021.

2.Crl.O.P(MD) No. 16508 of 2021 has been filed to quash the impugned FIR in Crime No.31 of 2021 registered on the file of the first respondent police under Sections 498(A), 406, 323, 109 and 506 (ii) of IPC dated 13.09.2021 registered on the complaint of the defacto complainant viz., R2.

3. When the matter is taken up for hearing, the learned counsel appearing on either side would submit that parties have settled the issue before the Mediation. The Mediation Agreement reads as follows:

*1. The 4<sup>th</sup> respondent and his wife namely Kasthuri ready and willing to returned, all the jewels of the Petitioner along with all the House Hold Articles given by*



the petitioner's parents at the time of marriage.

2. The 4<sup>th</sup> respondent voluntarily handover the sale deed stand in the petitioner and fixed deposit receipts (Postal Department) stand in the name of grandson viz., Shrihan to this petitioner.

3. The petitioner also ready to withdraw her complaint and no objection to quash the FIR in Crime No.31/2021, on the file of the All Women Police station, Theni dated 13.09.2021, before this Hon'ble Court in Crl.O.P.(MD) No.16508/2021 filed by the respondent 4<sup>th</sup> and his wife Kasthuri under this Settlement Memo.

4. The petitioner also agree and permit her son viz., Shrihan to interact with his father Mr.J.Prabhakaran.

5. This settlement Memo will also form part of pending Crl.O.P(MD)No.16508 of 2021, filed by this petitioner to quash the FIR in Cr.No.31 of 2021 against all the accused mentioned therein. The petitioner namely Punitha will not make any further claim against her husband and family members under Criminal Law for the same nature of the complaint. Likewise, the 4<sup>th</sup> respondent & family members including the Husband should not harass the petitioner and their family members.

6. The 4<sup>th</sup> respondent and the petitioner jointly visited Canara Bank on 10.03.2022 at 11.00 AM and opened the locker and jewels of the petitioner was handed over by the 4<sup>th</sup> respondent in front of the 2<sup>nd</sup> respondent Inspector of Police, the same was Photograph by all the parties.

7. The petitioner and 4<sup>th</sup> respondent's son Mr.J.Prabakaran, i.e., the husband of the petitioner will separately decide about their Re-Union within the Cooling period of 3 months from the date of the settlement memo.

4. In view of the compromise arrived at between the parties, these criminal original petitions are allowed. The Mediation Agreement dated 11.03.2022 shall form part and parcel of this order. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

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To  
**Enclose copy of Mediation Report,**

1. The Superintendent of Police,  
Theni District, Theni.
2. The Inspector of Police,  
All Women Police Station,  
Theni District.
3. The Branch Manager,  
Canara Bank, Grand Central Branch,  
Madurai.
4. The Additional Public Prosecutor  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/S.P.M.VISHNUVARTHANAN, Advocate SR-18277 dated 14/04/2022

Crl.O.P. (MD) Nos.15252 and 16508 of 2021  
12.04.2022

RK(26/04/2022) 4P 6C