



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)Nos.20734 of 2021 & 1364 of 2022

and Crl.M.P. (MD)Nos.11827 & 11828 of 2021 & 1020 of 2022

WEB COPY

1. Sugumari
2. Latha
3. Thevanthra Kumar @
Devendra Kumar ... Petitioners / Accused 2 to 4
in Crl.O.P. (MD)No.20734 of 2021

C.A.Mohan Raj ... Petitioner / Accused No.1
in Crl.O.P. (MD)No.1364 of 2022

Vs.

1. State rep. By,
The Inspector of Police,
AWPS, Thilagar Thidal,
Madurai City,
(Crime No.18 of 2017). ... 1st Respondent / Complainant
in both petitions

2. Sujatha ... 2nd Respondent/Defacto Complainant
in both petitions

Common Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records in C.C. No.215 of 2017 now pending on the file of the learned Judicial Magistrate, Additional Mahila Court at Madurai and quash the same against the petitioners are concerned.

(in both Crl.O.Ps.)

For Petitioner : Mr.Praveen Alexander (In both Crl.OPs)
For R-1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)
For R-2 : Mr.S.Srinivasa Raghavan
(In both Crl.OPs)

* * *

C O M M O N O R D E R

Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the defacto complainant.



2. The petitioners are facing trial in C.C.No.215 of 2017 on the file of the Judicial Magistrate, Additional Mahila Court, Madurai. It is a matrimonial case. The parties have entered into compromise and the joint compromise memo has also been filed.

3. The defacto complainant appeared before the first respondent today and also gave a statement that she has no objection for quashing the impugned proceedings. The first respondent confirmed the same.

4. I am satisfied that the matter has been amicably resolved. In these circumstances permitting the impugned prosecution to continue will not serve the ends of justice. Therefore, the impugned proceedings are quashed.

5. C.A.Mohan Raj and the defacto complainant Sujatha have filed a petition in H.M.O.P.SR.No.72 of 2022 under Section 13(B) of the Hindu Marriage Act for dissolving their marriage by mutual consent before the Family Court, Madurai. The Family Court may number the same and dispose it of as expeditiously as possible. The waiting period of six months can be waived in this case. The parties shall also appear before the Family Court, Madurai through video conferencing.

6. These criminal original petitions are allowed. The joint compromise memo filed by the parties will form part of the record. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

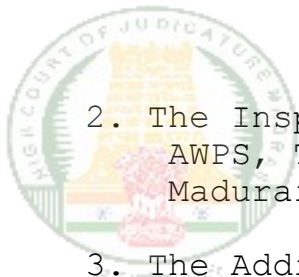
Sub Assistant Registrar(CS)

PMU

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Judicial Magistrate,
Additional Mahila Court at Madurai.



2. The Inspector of Police,
AWPS, Thilagar Thidal,
Madurai City.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+2 CC to M/s.PRAVEEN ALEXANDER, Advocate (SR-3165 & 3166[F]
dated 31/01/2022)

+1cc to M/S S.Srinivasa Raghavan, Advocate, Sr.No.2893
Crl.O.P.(MD)Nos.20734 of 2021 & 1364 of 2022
28.01.2022

SR(CO)
GC(07.03.2022) 3P 7C