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*Crl.R.C.No.1038 of 2018
& Crl.O.P.No.2983 of 2021*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2023

CORAM:

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

Crl.R.C.No.1038 of 2018 & Crl.O.P.No.2983 of 2021
and Crl.M.P.Nos.1978 & 1679 of 2021

Crl.R.C.No.1038 of 2018:-

1. Vinod Kumar
2. Rajendran
3. Chitra

... Petitioners

Vs.

R.Revathy

... Respondent

Prayer: Criminal Revision Case filed under Section 397 r/w. 401 of Code of Criminal Procedure, to call for the records relating to the order dated 09.08.2018 in Criminal Revision Case in Criminal appeal No.9 of 2018 of the learned Sessions (Fast Track Mahila) Judge, Namakkal, confirming the order dated 18.01.2018 in MC.No.15 of 2015 of the learned Judicial Magistrate, Paramathy and set aside the same and allow the criminal revision case as prayed for.

For Petitioners

For P1 : Mr.M.Sivavarthanan
For P1 & P2 : Ms.SA.Kanmani

For Respondent : Mr.N.Manoharan



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Crl.O.P.No.2983 of 2021 :-

1. V.Rajendran
2. Chitra

... Petitioners

Vs.

1. R.Revathy
2. Minor Deepthi Vinoth

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in Crl.M.P.No.2906 of 2020 in M.C.No.15 of 2015 on the file of the learned Judicial Magistrate, Paramathi and quash the proceeding in Crl.M.P.No.2906 of 2020 in M.C.No.15 of 2015 as against the petitioners.

For Petitioners : Mr.M.Sivavarthanan
For Respondents : Mr.N.Manoharan

COMMON ORDER

These petitions have been filed to set aside the order dated 09.08.2018 made in Criminal appeal No.9 of 2018 of the learned Sessions (Fast Track Mahila) Judge, Namakkal, confirming the order dated 18.01.2018 in MC.No.15 of 2015 of the learned Judicial Magistrate, Paramathy, and to quash the proceedings in Crl.M.P.No.2906 of 2020 in M.C.No.15 of 2015 on the file of the learned Judicial Magistrate, Paramathy.

2. On perusal of records revealed that on the request made by



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the learned counsel appearing on either side, this Court by an order dated 20.07.2023, referred the matter before the Mediation Centre attached to this Court. In mediation, the parties are amicably settle the issue between them and arrived at an agreement dated 08.09.2023.

3. Today, the parties are present before this Court and they deposed that as per the terms and conditions of the mediation agreement arrived between the parties, the case in S.T.C.No.1227 of 2022 pending before the learned Judicial Magistrate, Paramathy, has to be withdrawn by the wife.

4. In view of the settlement arrived between the parties, the first petitioner in Crl.R.C.No.1038 of 2018, is directed to file petition to recall the warrant before the trial Court in S.T.C.No.1227 of 2022. On receipt of the same, the trial Court is directed to recall the warrant on the same day and the defacto complainant/wife may be permitted to withdraw the complaint.



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5. Accordingly, the order dated 09.08.2018 made in Criminal appeal No.9 of 2018 of the learned Sessions (Fast Track Mahila) Judge, Namakkal, confirming the order dated 18.01.2018 in M.C.No.15 of 2015 of the learned Judicial Magistrate, Paramathy, and the proceedings in Crl.M.P.No.2906 of 2020 in M.C.No.15 of 2015 on the file of the learned Judicial Magistrate, Paramathy, are hereby quashed. The Settlement Agreement dated 08.09.2023, shall form part and parcel of this order.

6. In result, both the Criminal Revision Case and Criminal Original Petition stand allowed. Consequently, connected miscellaneous petitions are closed.

17.11.2023

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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To

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1. The Sessions (Fast Track Mahila) Judge,
Namakkal.
2. The Judicial Magistrate,
Paramathy.



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G.K.ILANTHIRAIYAN. J.

rts

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