



Crl.O.P.Nos.7563 and 17452 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2023

CORAM:

THE HONOURABLE MS JUSTICE R.N.MANJULA

Crl.O.P.Nos.7563 and 17452 of 2021 and
Crl.M.P.Nos.9587 of 2021 & 9517 of 2022

Dr.Abinaya Reddy

.. Petitioner in Crl.O.P.No.7563 of 2021
& Respondent in Crl.O.P.No.17452 of
2021 / Complainant

Vs.

1. Gaaliveeti Mukund Reddy
2. G.Murali Mohan Reddy
3. Sowmya Reddy

..Respondents in Crl.O.P.No.7563 of 2021
& Petitioners in Crl.O.P.No.17452 of
2021 / Accused

Prayer in Crl.O.P.No.7563 of 2021: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the learned XXIII Metropolitan Magistrate, Saidapet, Chennai in C.C.No.2917 of 2019 to receive the process memo submitted by the petitioner and issue Non-Bailable Warrant as against 1st respondent - 1st accused.

Prayer in Crl.O.P.No.17452 of 2021: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records in C.C.No.2917 of 2019 on the file of the XXIII Metropolitan Magistrate Court, Saidapet, Chennai, quash the same.



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For Petitioner in
Crl.O.P.No.7563 of 2021
& Respondent in
Crl.O.P.No.17452 of 2021
/ Complainant

: Mr.V.Shankar

For Respondents in
Crl.O.P.No.7563 of 2021
& Petitioners in
Crl.O.P.No.17452 of 2021
/ Accused

: Mr.P.Subba Reddy

COMMON ORDER

These Criminal Original Petitions are filed based on the private complaint filed by the complainant/wife of A1, under Section 200 of Cr.P.C., in C.C.No.2917 of 2019 on the file of the learned XXIII Metropolitan Magistrate, Saidapet, Chennai.

2. The Complainant is the wife of A1. A2 and A3 are the parents of A1. The matrimonial life of A1 with the complainant was ended in divorce granted by III Additional Principal Judge, FAC to II Additional Principal Judge, Chennai on dated 20.06.2018 made in O.P.No.626 of 2018 by mutual consent. Subsequently, in connection with the divorce proceedings, the



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husband of the complainant, A1 has issued two cheques to the tune of Rs.20 lakhs each. Due to the dishonour of the above said cheques a private complaint has been lodged by the wife/complainant in C.C.No.2917 of 2019 before the learned XXIII Metropolitan Magistrate, Saidapet, Chennai.

3. Today when the matter is taken up for hearing, the husband of the complainant / A1 along with his parents and the complainant are present before this Court and have filed a joint compromise memo, settling their dispute amicably. The Joint Compromise Memo is duly signed by the parties along with their respective counsels, in view of the compromise entered between themselves.

4. Admittedly there is a matrimonial dispute which ended in divorce and in consequence, two cheques have been issued by A1/ husband to the complainant wife and the same was returned due to difference in signature. On the basis of which a private complaint has been given by the complainant in C.C.No.2917 of 2019. It is seen that the accused did not have any previous criminal antecedents. In view of the compromise, the



defacto complainant does not want to pursue the matter further.

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5. In order to identify the respective parties, they have also produced the copies of the Aadhaar Cards. The terms of compromise were read over to the petitioner and the respondent in both cases. They accepted it to be true and stated that it has been entered between themselves without any coercion or influence. Under such circumstances, no useful purpose will be served in keeping the proceedings pending. Hence, I feel it is appropriate to quash the criminal proceedings against the accused in terms of compromise entered into between the parties.

6. In the result, this Criminal Original Petition in Crl.O.P.No.17452 of 2021 stands allowed and as a sequel, the further proceedings in C.C.No.2917 of 2019 on the file of the XXIII Metropolitan Magistrate, Saidapet, Chennai is quashed in terms of compromise. The terms of Joint Compromise Memo, dated 06.02.2023, shall form part of this Order.

7. In view of the order passed in Crl.O.P.No.17452 of 2021, the



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prayer in Crl.O.P.No.7563 of 2021 has become infructuous. Hence

Crl.O.P.No.7563 of 2021 is closed as infructuous. Consequently, connected miscellaneous petitions are closed.

06.02.2023

vum

Index:yes/No

Speaking order / Non speaking order

To

The XXIII Metropolitan Magistrate,
Saidapet, Chennai.
Chennai.



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R.N.MANJULA,J.

vum

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06.02.2023