



Crl.OP.No.27464 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.27464 of 2022

and

Crl.M.P.No.16905 of 2022

1.S.Rajesh

2.S.Mary

3.J.Chithra Devi

4.Rani

... Petitioners

Vs.

1.The State by Inspector of Police,
All Women Police Station East,
Coimbatore City,
Coimbatore District.

2.Preethi

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records pertaining to C.C.No.41 of 2018 on the file of the Additional Mahila Court, Coimbatore, quash the same.

For Petitioners : Mr.R.Sarojini

For R-1 : Mr.S.Santhosh
Government Advocate (Criminal Side)

For R-2 : M/s.S.Subashiri



Crl.OP.No.27464 of 2022

ORDER

WEB COPY This Criminal Original Petition is filed to call for the records pertaining to C.C.No.41 of 2018, on the file of the Additional Mahila Court, Coimbatore, quash the same.

2. Learned counsel for the petitioners submitted that, the petitioners and 2nd respondent filed a Joint Compromise Memo dated 12.01.2023. It is stated in the Joint Compromise that, due to the intervention and advice of well wishers and elderly family members, parties have decided to resolve the dispute. 1st petitioner and 2nd respondent agreed for mutual divorce and petition filed in I.D.O.P.No.1645 of 2022, pending on the file of the Principal Family Court, Coimbatore to dissolve the marriage by mutual consent. 2nd respondent got back all her jewels and household articles from the petitioners. 1st petitioner is now working in USA. He has signed this Joint Compromise in the presence of Mr.Ajay Kr.Ajmani, Consulate General of India. 2nd respondent has not interested in proceedings against the petitioner and she has no objection for quashing the criminal case in C.C.No.41 of 2018 against the petitioners. She has



Crl.OP.No.27464 of 2022

also filed an affidavit in this regard. Therefore, the learned counsel for the petitioners seeks for quashing the C.C.No.41 of 2018 on the file of the Additional Mahila Court, Coimbatore.

3. The learned Government Advocate (Crl.Side) submitted that, by passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4. Except the 1st petitioner, other petitioners are present in person before this Court and they were identified by **M/s.T.Sathyabama, WHC 2199, All Women Police Station (E), Coimbatore**. When enquired by this Court, 2nd respondent reiterated that, she does not want to prosecute the matter and has no objection for quashing the proceedings in C.C.No.41 of 2018.

5. Considering the fact that the issue between the parties relates to matrimonial issue and that the second respondent does not want to prosecute the case against the petitioner, and that she has no objection for quashment of



Crl.OP.No.27464 of 2022

proceedings, no useful purpose will be served in keeping the proceedings pending in C.C.No.41 of 2018 against the petitioner.

6. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the proceedings pending in C.C.No.41 of 2018 on the file of the Additional Mahila Court, Coimbatore against the petitioners.

7. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings pending in C.C.No.41 of 2018 on the file of the Additional Mahila Court, Coimbatore against the petitioners is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently, the connected Miscellaneous Petition is closed.

27.01.2023

Internet : Yes / No

Index : Yes / No

Speaking/Non speaking order

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4/6



Crl.OP.No.27464 of 2022

To

WEB COPY

1.The Additional Mahila Court, Coimbatore

2.The Inspector of Police,
All Women Police Station East,
Coimbatore City,
Coimbatore District.

3.The Public Prosecutor,
Madras High Court.

G.CHANDRASEKHARAN,J.



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Crl.OP.No.27464 of 2022

gd

Crl.O.P.No.27464 of 2022

27.01.2023