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CrI.O.P.No.32253 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.32253 of 2022

- 1.Saravanakumar
- 2.Subramanian @ Subramaniam
- 3.Ranjitham @ Manoranjitham
- 4.Nirmala Devi

... Petitioners

Vs.

- 1.State, represented by
The Inspector of Police,
All Women Police Station,
Perur, Coimbatore District.
(Crime No.39 of 2014)

- 2.Narmadha

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to call for records relating to the C.C.No.23 of 2016 on the file of the learned Mahila Court at Magisterial Level, Coimbatore and quash the same.

For Petitioners	: Mr.S.N.Arunkumar
For R1	: Mr.S.Santhosh
	Government Advocate (Criminal side)
For R2	: Mr.P.Narayana Prasadh

ORDER

This Criminal Original Petition has been filed to quash the C.C.No.23 of 2016 on the file of the learned Mahila Court at Magisterial Level, Coimbatore.



CrI.O.P.No.32253 of 2022

2. When the matter is taken up today, the learned counsel for the petitioners, petitioners, *de-facto* complainant/second respondent and her learned counsel Mr.P.Narayana Prasadh and Ms.S.Amutha, Inspector of Police, All Women Police Station, Perur, Coimbatore District are present. In order to identify the parties, they have also produced the copies of the Aadhaar Card and it is made part of the record.

3. A joint compromise memo dated 29.12.2022 has been filed by the petitioners and the second respondent stating that the petitioners and the second respondent have buried the long standing dispute and that the first petitioner and the second respondent are now united and living together. They have a female child aged about 10 years. In view of the welfare of the child, they decided to lead a peaceful life and put an end to this case. It is further stated by the *de-facto* complainant/second respondent that she does not want to proceed with the case against the petitioners and she has no objection for quashing the proceedings in C.C.No.23 of 2016 on the file of the learned Mahila Court at Magisterial Level, Coimbatore.

4. This Court has enquired the *de-facto* complainant/second respondent and she reiterated that she is now living with her husband/first petitioner along



CrI.O.P.No.32253 of 2022

with her child. She also submitted that she does not want to proceed further with this case and she has no objection for quashing the proceedings in C.C.No.23 of 2016 on the file of the learned Mahila Court at Magisterial Level, Coimbatore.

5.Considering the facts and circumstances of the case and also the fact that this case arise out of the matrimonial dispute and that now, the parties have decided to bury their hatchet and live together in a peaceful life for their welfare and also for the welfare of their child, this Court is of the view that continuance of the proceedings in criminal case would be a harassment to the petitioner and an injustice. In that view of the matter, this Court invoking its power under Section 482 of Cr.P.C. to render substantial justice to the parties, allows this petition.

6.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.23 of 2016 on the file of the learned Mahila Court at Magisterial Level, Coimbatore is quashed and the terms of joint compromise memo shall form part and parcel of this order.

03.01.2023

Index:Yes/No
Speaking/Non speaking order
sp



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Crl.O.P.No.32253 of 2022

G.CHANDRASEKHARAN.J.,

sp

To

- 1.The Mahila Court at Magisterial Level,
Coimbatore.
- 2.The Inspector of Police,
All Women Police Station,
Perur, Coimbatore District.
- 2.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.32253 of 2022

03.01.2023