



Crl.M.P.No.18614 of 2023

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in
Crl.R.C.SR.No.51554 of 2023

M. NIRMAL KUMAR, J.

This petition is filed to condone the delay of 20 days in filing the above revision.

2.Heard the learned Counsel for petitioners.

3.The petitioners were tried and convicted by the learned Judicial Magistrate/Additional Mahila Court, Coimbatore in C.C.No.107 of 2013 by judgment dated 09.02.2018 for offence under Sections 498(A) r/w 34 of IPC and sentenced to undergo one year rigorous imprisonment and to pay a fine of Rs.1,000/-. Aggrieved against the conviction, the petitioners preferred an appeal in C.A.No.86 of 2018. During the pendency of the appeal, the petitioners and the second respondent arrived at a compromise. Hence, they filed a petition under Section 320 Cr.P.C. in C.M.P.No.1086 of 2023 before the learned I Additional District and Sessions Judge with compromise memo. The learned Sessions Judge, by an order dated 12.06.2023 dismissed the petition filed by the petitioners and second respondent to compound the offence of section 498-A IPC. The learned Sessions Judge observed that the issue between the first petitioner and the second respondent/de-facto complainant got resolved and they are living as husband and wife in one roof. Section 498(A) IPC does not find place under Section 320 Cr.P.C. and hence, the petition is not maintainable, though the learned Additional Public



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Prosecutor has no objection in compounding the offence and dismissed the petition. Against which, the present revision has been filed.

4.Mr.A.Damodaran, learned Additional Public Prosecutor has got no objection in allowing this petition.

5.In view of the above fact, the delay stands condoned and the petition is ordered.

6.The learned counsel for the petitioners submits that since the petitioners and the second respondent are from Coimbatore, they may be permitted to appear through video conferencing to confirm the compromise.

27.11.2023

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Note: Registry is directed to number the Criminal Revision, if it is otherwise in order and post the same for Admission on 05.12.2023.

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