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.Crl.RC.No.1301 of 2018.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2023

CORAM :

THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.RC.No.1301 of 2018

and

Crl.M.P.No.18622 of 2023

Mohammed Sulthan ...Petitioner/Appellant/1st Accused

Vs.

State by:

Inspector of Police,

W-2, All Women Police Station,

Triplicane,

Chennai.

...Respondent/Respondent/Complainant

PRAYER: Criminal Revision filed under Section 397 r/w. 401 of Cr.P.C., to call for the entire records connected with the Judgment dated 26.09.2018 in Crl.A.No.118 of 2018 passed by the learned XVII Additional City Civil Judge, Chennai confirming the Judgment dated 09.03.2018 in C.C.No.99 of 2012 passed by the learned Chief Metropolitan Magistrate, Egmore, Chennai and set aside the same.

For Petitioner : Mr.R.Sankara Subbu
for Mr.V.Sathish

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)



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ORDER

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This Criminal Revision had been filed to set aside the Judgment dated 26.09.2018 in Crl.A.No.118 of 2018 passed by the learned XVII Additional City Civil Judge, Chennai confirming the Judgment dated 09.03.2018 in C.C.No.99 of 2012 passed by the learned Chief Metropolitan Magistrate, Egmore, Chennai.

2. Ms.Jahanas Begum, W/o. Mohammed Sultan, No.6/11, Thomas Colony, S.S.Colony, Madurai North, Madurai District – 625016/*De-facto Complainant* is present in Chamber. She submits that she had given a written complaint to Ms.S.Selvarani, WSI, All Women Police Station, W-2, Anna Salai, Chennai stating that the Judgment of Conviction recorded by the learned Chief Metropolitan Magistrate, Egmore, Chennai in C.C.No.99/2012 has to be executed and there is no compromise.

3. Today, 23.11.2023, the learned Counsel for the Revision Petitioner, Mr.R.Sankarasubbu (Roll.No.KA 258/1980, Mobile No.9381036543) submitted that a compromise had been arrived between the parties.



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4. In the presence of Ms.Jahanas Begum/*De-facto Complainant* and her brother, who is a practising lawyer viz., Mr.S.Mohammed Azharuddin (Roll. No.Ms.1151/2021, Mobile No.9952649330), the learned Counsel for the Revision Petitioner Mr.R.Sankarasubbu handed over the Jewels, about 25 sovereigns as per the terms of compromise. The *De-facto Complainant* is satisfied with the jewels.

5. The daughter, aged about 14 years, is with the mother, the *De-facto Complainant*. The learned Counsel for the Revision Petitioner submits that the compromise had been arrived at the instance of the *De-facto Complainant's* father and the subject matter is to be compromised as per terms between the parties.

6. The Revision Petitioner submits that he is engaged in preparation of name boards as his profession and he has subscribed to Gokulam Chits i.e., Chit No.22916/2022 which is likely to mature in 16 months for Rs.3,00,000/- (Rupees Three Lakhs Only). He undertakes to hand over the same, on maturity, to the Respondent/*De-facto*



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Complainant as guardian of the minor daughter viz., Shobika and the same is recorded in the presence of learned Government Advocate (Crl. Side) and both side counsels.

7. The *De-facto Complainant* is advised that as per the terms of compromise, she can withdraw the amount of Rs.3,00,000/-(Rupees Three Lakhs only) mentioned in the terms of settlement.

8. If the Revision Petitioner defaults as per the terms of compromise, the *De-facto Complainant* can seek the remedy through the Court by filing appropriate Petition or Suit as per law.

In the result, this ***Criminal Revision case is disposed off as settled.*** Consequently, connected Miscellaneous Petition is closed.

23.11.2023

dh

Index: Yes/No

Internet: Yes/No

Speaking Order/Non-speaking Order



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To

1. The XVII Additional City Civil Judge,
Chennai.
2. The Chief Metropolitan Magistrate,
Egmore, Chennai.
3. The Inspector of Police,
W-2, All Women Police Station,
Triplicane,
Chennai.
4. The Public Prosecutor,
High Court, Madras.



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SATHI KUMAR SUKUMARA KURUP, J.

dh

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