



Crl.R.C.(MD).No.641 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 25.08.2023

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THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.RC(MD)No.641 of 2023

and

Cr.MP(MD)No.9026 of 2023

Sivaramakrishnan ... Petitioner/Respondent

Vs.

Yuvarani ... Respondent/Petitioner

PRAYER: Criminal Revision Petition has been filed under Section 397 r/w 401 of Cr.P.C., to call for the records in pertaining to the order of the learned Judicial Magistrate No.I, Kulithalai, dated 23.09.2022, made in M.C.No.5 of 2020, set aside the same by allowing this revision.

For Petitioner : Mr.K.Arunraj

For Respondent : Mr.M.Karunanidhi

ORDER

The husband/petitioner filed this revision challenging the maintenance order granted in favour of his wife/respondent herein in M.C.No.5 of 2020 on the file of the Judicial Magistrate No.I, Kulithalai, dated 23.09.2022.

2. The petitioner married the respondent on 30.01.2020. Within one month from the date of marriage, there was discard between them. Hence, the respondent left the matrimonial home and staying with her parents. She also



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made a complaint against the petitioner and his family members before the All Women Police Station, Musiri. The same was registered in Crime No.23 of 2020 for the offence under Sections 294(b), 498(A) of IPC and Section 4 of Dowry Prohibition Act. He filed a divorce petition in HMOP.No.478 of 2020 before the Principal Sub Court, Trichy. In the said circumstances, without any income to meet out her livelihood, the respondent filed the maintenance claim in M.C.No.5 of 2020 on the file of the learned Judicial Magistrate, Kulithalai, by claiming monthly maintenance of Rs.25,000/-.

3. The learned Judicial Magistrate after hearing the parties and on the basis of the evidence adduced before him, granted maintenance of Rs.15,000/- per month. Challenging the same, the petitioner filed this Revision.

4. Today (25.08.2023), when the matter is taken up for hearing, both counsel on record would submit that this Court referred the matter to mediation by the order dated 30.06.2023 and they have settled the matter before the Mediation and Conciliation Centre attached to this Bench. They also entered into the settlement agreement dated 19.07.2023 and the terms of above said settlement agreement are as follows:-



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SETTELEMENT AGREEMENT

This Settlement Agreement entered on 19.07.2023 between

Sivaramakrishnan

... Petitioner

And

Yuvarani

... Respondent



Whereas

1. Disputes and differences had arisen between the Parties hereto and Crl.R.C.(MD) No. 641/2023 was filed on 28.03.2023 before the Hon'ble High Court of Madurai Bench.
2. The Matter was refer to Mediation/ Conciliation vide an Order dated 30.06.2023 passed by the Hon'ble Mr. Justice K. Murali Shankar.
3. The Parties agreed that Mr. M. Sheik Abdullah would act as their Mediator/ Conciliator.
4. Several meetings were held during the process of Mediation/ Conciliation from 11.07.2023 to 19.07.2023 and the Parties have with the assistance of the Mediator/ Conciliator voluntarily arrived at an amicable solution resolving the above mentioned disputes and differences.
5. The Parties hereto confirm and declare that they have voluntarily and of their own free will arrived at this settlement agreement in the presence of the Mediator/ Conciliator.
6. The Following settlement has been arrived at between the parties hereto.



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Bench of Madras High Court to quash the criminal case in Crime No.23 of 2020 on the file of All Women Police Station, Musiri, which was registered as against the Revision Petitioner and his family members.

F. Already the Respondent has received all the house hold articles and Jewels from the Petitioner.

G. Both Parties have agreed to each other that they have not to claim any right in future against each other.

H. The Respondent in Crl.R.C (MD) No. 641 of 2023 has agreed that not to claim future Maintenance against the Criminal Revision Petitioner.

7. By signing this Agreement the Parties hereto state that they have no further claims or demands against each other with respect to the Crl.R.C.(MD) Nos. 641 of 2023 and all disputes and differences in this regard have been amicably settled by the Parties hereto through the process of Conciliation/ Mediation.

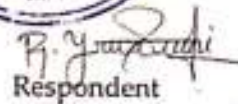
Date: 19.07.2023

Parties Signature:



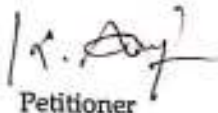
Petitioner





Respondent

Counsel's Signature:



Petitioner



Respondent


M. Shrikanth Reddy



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5. In view of the above compromise and the permanent alimony of Rs.14 lakhs also received by the respondent by way of D.D.No.557279, this Court is inclined to set aside the impugned order passed by the learned trial Judge.

6. Accordingly, the impugned order passed by the learned Judicial Magistrate No.I, Kulithalai, in M.C.No.5 of 2020, dated 23.09.2022, is hereby set aside and the Criminal Revision Case stands allowed. Consequently, the connected miscellaneous petition is closed.

25.08.2023

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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Note : Issue order copy on 21.12.2023



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To

- 1.The Judicial Magistrate No.I,
Kulithalai.
2. The Section Officer,
Criminal Records,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN, J.

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