



Crl. R.C.(MD)No.294 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved On : 17.07.2023

Delivered On : 02.08.2023

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

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A.Raja

.. Petitioner

Vs.

Rathimunisri

.. Respondent

Prayer : This Criminal Revision Case is filed under Sections 397 and 401 of Cr.P.C., to call for the records pertaining to an impugned order dated 12.07.2018 in C.A.No.56 of 2016 on the file of the learned II Additional Sessions Judge, Thoothukudi and to set aside the order of dismissal of the appeal preferred against the order of the learned Judicial Magistrate No.I, Kovilpatti, dated 28.09.2015 in M.C.No.4 of 2013 granting monthly maintenance relief to the respondent under the Protection of Women from Domestic Violence Act.

For Petitioner	: Mr.V.Sasi Kumar
For Respondent	: Mr.M.Sarangan

ORDER

This petition has been filed by the petitioner to set aside the order passed in C.A.No.56 of 2016 dated 12.07.2018, on the file of the learned Sessions Judge,



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Thoothukudi confirming the order passed in M.C.No.4 of 2013 dated 28.09.2015, on the file of the learned Judicial Magistrate No.I, Kovilpatti.

2.During the pending proceedings, both the parties have filed joint compromise memo stating that both the petitioner and the respondent have joined together and both are willing to allow this revision petition. As per compromise, they already filed H.M.O.P.No.4 of 2015 dated 23.07.2015, on the file of the learned Sub Judge, Kovilpatti and divorce was granted. Thereafter, the respondent preferred an appeal in H.M.C.M.A.No.12 of 2015 dated 04.12.2015 before the learned I Additional District Judge, Thoothukudi and the same was also dismissed. As against which, the second appeal was filed in C.M.S.A.(MD)No.24 of 2017. In that second appeal, the petitioner and the respondent filed joint memo dated 29.09.2021 and the order of dissolution of marriage passed by the trial Court by a decree and judgment dated 23.07.2015 was also set aside. Thereafter, the petitioner and the respondent have joined together and living peacefully with their daughter. Earlier the respondent herein filed a complaint under Section 12 of Domestic Violence Act in M.C.No.4 of 2013 before the learned Judicial Magistrate No.I, Kovilpatti for maintenance and compensation and the same was ordered on 21.06.2019. As against the said order, the criminal appeal in C.A.No.56 of 2016 was filed before the II Additional District Judge, Thoothukudi and the appeal was dismissed, by an order dated 12.07.2018. As



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against the order, the present Civil Revision Case has been filed. Both the parties compromised and joined together and already divorce decree was also set aside. Both the petitioner and the respondent filed a joint memo to set aside the order passed by the trial Court as well as appellate Court.

3.Today i.e. 17.07.2023 both parties present along with their representative counsels and agreed for compromise and filed the memo.

4.In view of the above compromise memo and recording the compromise, this Criminal Revision Case is disposed of with the terms of compromise. The compromise memo will form a part of the order.

02.08.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes/No

Mrn

To

1.The II Additional Sessions Judge, Thoothukudi.

2.The Judicial Magistrate No.I, Kovilpatti.

3.The Section Officer,
Criminal Records,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

Mrn

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