



*Crl.R.C.(MD).No.774 of 2019*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 20.12.2023

CORAM

**THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

Crl.RC(MD). No.774 of 2019

1. Sathishkumar

2. Rajendran

3. Vijayalakshmi

... Petitioners/Appellants/Accused 1 to 3

Vs.

1. The State rep by the Inspector of Police,

All women Police Station,

Karur.

(Crime No.3 of 2016)

... Respondent/Respondent/Complainant

2. Karthika

... Respondent/Appellant/P.W.1

**PRAYER:** Criminal Revision Petition has been filed under Section 397 r/w 401 of Cr.P.C., to call for the records in Crl.App.No.154 of 2018 dated 27.03.2019



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passed by the Learned Additional Sessions Judge, Mahila Court (Fast Track Court), Karur and set aside the same by restoring the order of acquittal passed by the Learned Judicial Magistrate, No.1, Karur in C.C.No.205 of 2016 dated 06.10.2018 the same.

For Petitioners : Mr.K.Hariharan

For Respondents : Mr.P. Kottaichamy,  
Government Advocate(Crl.Side)  
for R1

: Mr.N.Mohideen Basha for R2

### **ORDER**

The petitioners are A1 to A3 in C.C.No.205 of 2016 filed this revision, challenging the conviction and sentence imposed against them in C.A.No.154 of 2018, dated 27.03.2019, by the learned Additional Sessions Judge (Fast Track Mahila Court), Karur.

2.The case of the prosecution is that the first petitioner is the husband of the second respondent. The petitioners 2 and 3 are the father-in-law and mother-in-law of the second respondent. The marriage between the first



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petitioner and the second respondent was solemnized on 08.06.2014. at the time of engagement, the petitioners 2 and 3 demanded 75 sovereigns of gold jewels and cash of Rs.4,00,000/-. At the time of marriage, the parents of the second respondent gave 50 sovereigns of gold jewels, a cash of Rs.1,00,000/- and household articles, etc., and also promised to present the remaining jewels and cash of Rs.3,00,000/- within three months. Right from the marriage, the wife was ill-treated, harassed at the instigation of his family members and demanded dowry. She was also assaulted by the petitioners and other in-laws. Based on which, the second respondent gave a complaint and the same was registered in Crime No.3 of 2016, for the offence under Sections 498(A), 294(b), 406 and 506(i) of IPC and Section 4 of Dowry Prohibition Act. After completion of investigation, a final report was filed and the same was taken on file in C.C.No.205 of 2016 by the learned Judicial Magistrate No.I, Karur.

3. Thereafter, on receipt of the summons, the petitioners appeared and contested the case. The learned Trial Judge after following the procedure, examined PW.1 to P.W.3 and D.W.1 and perused the documents Ex.P1 to Ex.P3 and Ex.D1 to Ex.D9 and acquitted the petitioners for the offence under Sections 498(A), 294(b), 406 and 506(i) of IPC and Section 4 of Dowry Prohibition Act.

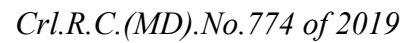


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4. Aggrieved over the same, the second respondent filed the Criminal Appeal in C.A.No.154 of 2018 on the file of the the learned Additional Sessions Judge (Fast Track Mahila Court), Karur. The learned Appellate Judge convicted the petitioners under Sections 498(A) of IPC and 4 of Dowry Prohibition Act, and sentenced to under go each one year simple Imprisonment and to pay a find of Rs.1,000/- each in default to undergo two months simple imprisonment, for the offence under Section 498(A) of IPC and also sentenced to undergo six months SI and to pay a fine of Rs.1,000/- each in default to undergo one month SI for the offence under Section 4 of Dowry Prohibition Act. Hence, the petitioners preferred this revision before this Court.

5. Pending the same, both counsel on record would submit that the matter has been amicably settled between the parties and they have already filed joint compromise memo dated 19.03.2020, which is extracted here under:-



Cri.R.C. (MD) No. 774 of 2019

- .....<sup>9</sup>petitioners

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

- .....First Respondent

- ...Second Respondent/ P.W.1

1. [Signature]  
2. H. Rindan  
3. R. Rindan  
Petitioners

D. 11/27/2022  
Second Respondent



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2. It submitted that after completing the investigation, the second respondent police filed charge sheet and the above case was taken on file in C. C. No. 205 of 2016 by the learned Judicial Magistrate No. 1, Karur against five accused.
3. It is submitted that the learned Judicial Magistrate No. 1, Karur was pleased to acquit all the accused on all the charges by his judgment dated 06.10.2018.
4. It is submitted that against the judgment of acquittal passed in C. C. No. 205 of 2016 dated 06.10.2018, the second respondent/ P.w.1 preferred a Criminal Appeal before the Court of Sessions, Karur in Crl. App. No. 154 of 2018.
5. It is submitted that the above Criminal Appeal was heard by the Learned Additional District and Sessions Judge (Fast Track Mahila Court), Karur and the learned Additional District and Sessions Judge (Fast Track Mahila Court), Karur was pleased to found the petitioners alone (A-1 to A-3) guilty for the offences under section 498 -A I.P.C and under section 4 of down Prohibition Act and sentenced the petitioners to undergo one year simple imprisonment for the offence under section 498-A of I.P.C and a fine of Rs.1000/- in default to under two months simple imprisonment and six months simple imprisonment and a fine of Rs. 1000/- in default to undergo one month simple imprisonment for the offence under section 4 of Down Prohibition Act by judgment dated 27.03.2019. The learned Additional District and Sessions Judge (Fast Track Mahila Court), Karur was pleased to confirm the order of acquittal in respect of fourth and fifth accused.

1. *[Signature]*

2. *[Signature]*

3. *[Signature]*  
Petitioners

*[Signature]*  
Second Respondent



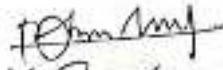
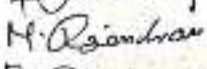
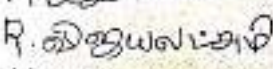
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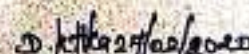
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6. It is submitted that after the order of the Learned Additional District and Sessions Judge (Fast Track Mahila Court), Karur, on the advice of the elders and well wishers of the family, the petitioners and the second respondent herein entered into a compromise. The first petitioner agreed return all the Sreedahana articles and agreed to pay a sum of Rs. 6,00,000/- (Rupees. Six Lakhs only) towards full and final settlement to the second respondent. The second respondent agreed to say no objection for grant of divorce in H. M. O. P. No. 9 of 2018 filed by the first petitioner before Family Court, Karur.

7. It is submitted that as per the terms and conditions entered among the first petitioner and the second respondent, the first petitioner returned all her Sreedhana articles to the second respondent and paid a sum of Rs.6,00,000/- to the second respondent towards full and final settlement. The second respondent tendered evidence before the Family court, Karur on 17.07.2019 confirming the receipt of articles and the permanent alimony. Based on the same, decree of divorce granted by the Family court, Karur in H. M. O. P. No. 9 of 2018 on 24.07.2019 by dissolving the marriage between the first petitioner and the second respondent.

8. It is submitted that the first petitioner is aged about 32 years and the second respondent is aged about 30 years and in order to lead a happy life in future, both the families buried all their differences. On their own will and volition, the petitioners and the second respondent entered into this joint compromise.

1.   
2.   
3.   
Petitioners

  
Second Respondent



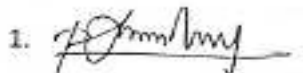
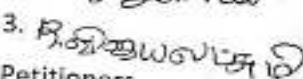
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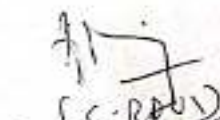
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9. It submitted that the second respondent have no objection to set aside the order passed in Crl. App. No. 154 of 2018 dated 27.03.2019 by the learned Additional District and Sessions Judge (Fast Track Mahila Court), Karur and to restore the order of acquittal passed in C. C. No. 205 of 2016 dated 06.10.2018 passed by the learned Judicial Magistrate No. I, Karur.

It is therefore prayed that this Hon'ble court may be pleased to accept the compromise entered between the petitioners and the second respondent and set aside the order passed in Crl. App. No. 154 of 2018 dated 27.03.2019 by the Learned Additional District and Sessions Judge (Fast Track Mahila Court), Karur and restore the order of acquittal passed in C. C. No. 205 of 2016 dated 06.10.2018 passed by the learned Judicial Magistrate No. I, Karur and thus render justice.

Dated at Madurai on this the 27<sup>th</sup> day of February 2020

1.   
2. N. Rajendran  
3.   
Petitioners

  
(S. Ravi) 22/2/2020  
Counsel for Petitioners

D. K. K. 27/02/2020  
Second Respondent

M. May (4638/808)  
M. MATHENDRAN  
  
27/2/2020  
For M/S. N. Mohideen Beetha  
Counsel for Second Respondent



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6.The contents of the above joint compromise memo are read over and explained to both the parties and they would admit the same. Therefore, the joint compromise memo filed by both the parties is recorded and hence, this Court passes the following order:-

6.1.In the case of matrimonial offence, when the parties entered into the compromise as per the guidelines issued by the Hon'ble Supreme Court in the case of ***Ramgopal and another Vs. The State of Madhya Pradesh*** reported in ***2022 14 SCC 531***, in order to maintain good relationship between the parties, this Court is inclined to compound the case by setting aside the conviction and sentence passed by the learned Additional District and Sessions Judge (Fast Track Mahila Court), Karur and restore the acquittal judgment dated 06.10.2018 passed in C.C.No.205 of 2016, by the learned Judicial Magistrate, No.1, Karur .

7. Accordingly, this Criminal Revision case is allowed and the conviction and sentence imposed by the learned Additional Sessions Judge (Fast Track Mahila Court), Karur, in C.A.No.154 of 2018, dated 27.03.2019, is hereby set aside and the order of acquittal passed in C.C.No.205 of 2016, on the file of the



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learned Judicial Magistrate No.1, Karur, is hereby restored. The petitioners are acquitted from the charges levelled against them. Bail bond if any, executed by them shall stand discharged.

**20.12.2023**

NCC : Yes/No  
Index : Yes/No  
Internet: Yes/No

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To

1. The Additional Sessions Judge,  
Mahila Court (Fast Track Court), Karur.
2. The Judicial Magistrate, No.1,  
Karur.
3. The Inspector of Police,  
All women Police Station,  
Karur.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.
5. The Section Officer,  
Criminal Section(Records),  
Madurai Bench of Madras High Court,  
Madurai.



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**K.K.RAMAKRISHNAN, J.**

vsg

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20.12.2023