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Crl.OP.No.16365 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.16365 of 2024

1. Arun
2. Amarson
3. Nirmala

... Petitioners

Vs.

1. State by
Inspector of Police,
All Women Police Station,
Udhagamandalam, Nilgris District.
Crime No.7 of 2012.

2. Nancy,

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to quash the charge sheet filed as against the petitioners pertaining to C.C.No.3 of 2013 pending on the file of the learned Judicial Magistrate, Udhagamandalam, Nilgiris District.

For Petitioner : Mr.T.R.Ravi

For Respondents : Mr.S.Udayakumar
Government Advocate (Crl.Side)

: Ms.P.Veena Suresh for R2



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ORDER

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2. The petitioners are A1 to A3 in the said case. The charge against them are under Section 498A of IPC. The defacto complainant is the wife of the first petitioner. The complaint registered in Cr.No.7 of 2012 on completion of investigation, final report filed and taken cognizance by the learned Judicial Magistrate, Uthagamandalam in the year 2013, since then the matter is pending without any progress.

3. In the meanwhile, the defacto complainant and the first petitioner has consented to dissolve their marriage by mutual consent. As a consequence, the Family Court, Chennai had dissolved the marriage vide order dated 26.06.2024 in OP.No.5581 of 2023. The wife had received a sum of Rs.35,00,000/- towards the permanent alimony from her husband/ the first petitioner herein.



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4. On 02.07.2024, the defacto complainant and the petitioners herein have entered into memorandum of joint compromise, wherein recording the dissolution of marriage by mutual consent and payment of Rs.35,00,000/- to the defacto complainant. They have agreed to settle the issues by not to proceed against each other either before the Civil Court or Criminal Court and it is has been specifically agreed that, the present Criminal Original Petition filed for quash, referred to Mediation and in the Mediation, the parties have settled the dispute.

5. As per the direction of this Court, the first petitioner/husband is appeared through video conferencing and the second and third petitioners are physically present before this Court. The defacto complainant is also present and expressed her intention not to pursue the matter further in view of the settlement arrived.

6. In the light of the fact that the defacto complainant is come forward to settle the dispute and not interested in pursuing the matter to ascertain whether the said consent was voluntary. Taking note of the fact that the parties have amicably settled their disputes. To meet the ends of justice, C.C.No.3 of 2013 on the file of the learned Judicial



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Magistrate, Udhagamandalam, The Nilgiris stands quashed.

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7. In the result, this Criminal Original Petition is allowed.

Vv

11.07.2024

To

- 1. The Judicial Magistrate, Udhagamandalam,
Nilgris District**
- 2. The Inspector of Police,
All Women Police Station,
Udhagamandalam, Nilgris District.**

Dr.G.JAYACHANDRAN,J.



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Vv

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