



CRL OP(MD). No.1182 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 07.03.2024

CORAM

The Hon`ble Mr.Justice M. DHANDAPANI

**CRL OP(MD) Nos.14733 and 15253 of 2022
and CrI.M.P.(MD) No.9568 and 10010 of 2022**

1.Jeganathan

2.Vasantha

... Petitioners in
CrI.O.P.No.14733/2022

Anbalagan

... Petitioner in
CrI.O.P.No.15253/2022

Vs

J.Karthiga @ Gowri

... Respondent
in both petitions

COMMON PRAYER :- Criminal Original Petition file under section 482 of Cr.P.C., to call for the entire records pertaining to the petition filed under the Protection of Women from Domestic Violence Act, 2005 in DVOP No.5/2022 on the file of the learned District Munsif Court cum Judicial Magistrate Court No.1, Usilampatti and quash the same as illegal as against the petitioners are concerned.

For Petitioners : M/s.R.Karunanithi
For Respondents : M/s. Arputharaj



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COMMON ORDER

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These petitions have been filed to quash the proceedings in DVOP No.5/2022 on the file of the learned District Munsif Court cum Judicial Magistrate Court No.1, Usilampatti, which was initiated against the petitioners herein.

2. It is seen that the respondent is the wife of the petitioner in Crl.O.P.(MD) No.15253/2022 and the other petitioners are in-laws of the respondent. Since their marriage ran into rough weather, a divorce petition came to be filed before the family Court and the same is pending while so, on the complaint made by the respondent, the proceedings were initiated, for quashing which, the petitioners are before this Court.

3. When the matter was taken up for hearing on 03.11.2022, the matter was referred to the mediation and conciliation centre and upon mediation and conciliation, a Joint Memo of Compromise dated 28.11.2022 has been filed before this Court, which has been duly signed by the petitioners and the respondent and also by their respective counsels.

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4. The counsel appearing on either side filed a settlement agreement dated 28.11.2022, duly stating that since the parties have arrived at an amicable settlement by way of compromise among themselves, the respondent has agreed to withdraw all the proceedings, ie., maintenance case, DVOP proceedings and has also agreed to go appear before the family Court.

5. When such a situation arose in similarly placed matters in **Crl.O.P.(MD) Nos.406, 530 and 864 of 2016 (Prabu and others vs. State Rep. By The Inspector of Police and others), decided on 28.01.2016**, this Court considering the various decisions rendered by the Hon'ble Supreme Court in this regard in several cases, namely, **Gian Singh vs. State of Punjab and another [(2012) 10 SCC 303]**, **B.S.Joshi vs. State of Haryana [(2003) 4 SCC 675]**, **Nikhil Merchant vs. CBI [(2008) 9 SCC 677]**, **Narinder Singh and others vs. State of Punjab and another [(2014) 6 SCC 466]** and **State of Madhya Pradesh vs. Manish and others [(2015) 8 SCC 307]**, has quashed the proceedings against the petitioners therein.



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6. Taking note of the judgments referred to supra, considering the nature of allegations and in view of settlement agreement dated 28.11.2022, this Court is of the opinion that no useful purpose would be served in keeping the matters pending. Therefore, the proceedings in DVOP No.5/2022 on the file of the District Munsif Court cum Judicial Magistrate Court No.1, Usilampatti, in respect of the petitioners/accused alone, are hereby quashed.

7. Accordingly, this Criminal Original Petitions are allowed on the basis of the compromise entered into between the parties. Consequently connected Miscellaneous Petitions are closed. The settlement agreement dated 28.11.2022 shall form part of the common order.

07.03.2024

RR

TO

1. The District Munsif Court
cum Judicial Magistrate Court No.1,
Usilampatti



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M.DHANDAPANI. J

RR

**ORDER
IN
CRL OP(MD) Nos.14733 and 15253 of 2022**

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