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CrI.O.P. No.16940 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CrI. O.P No. 16940 of 2022 and
CrI. M.P. Nos.10232 and 10234 of 2022

1. A. Yokesh, M/ Years (A-1)
S/o. K.Anbu

2. A. Malathi, F/ Years, (A-3)
W/o. Late K. Anbu

Both 1 & 2 are residing at
No.424, Kattapomman Street,
Periyar Nagar, Chennai 600 039.

3. Praveena, F/ Years (A-4)
W/o. Harikrishnan.

4. Harikrishnan, M/ Years, (A-5)
S/o. Subramani,

Both 3 & 4 are residing at
No. 37A, PTC Quarteres, Thoraipakkam,
Chennai 97.

..Petitioners

Vs.

1. The State Rep. by

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The Inspector of Police,
W-17, All Women Police Station,
Peravallur, Chennai.

2. M. Arulmozhi,
W/o. Yogesh,
D/o. T. Mani
No.26/18,, Haridass 2nd Street, Kolathur,
Chennai 600 099.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records pertaining to the Chargesheet in PRC.No.11 of 2019 on the file of the learned Additional Mahila Court, Egmore, Chennai and quash the same.

For Petitioner:

Mr.A. Rajeshkanna

For Respondents:

Mr. S. Santhosh, Government Advocate (Crl. side) for R1
Mr. J. Janarthanan for R2



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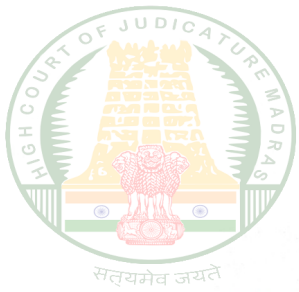


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ORDER

The petitioners seek to quash the final report which is pending in P.R.C. No.11 of 2019 on the file of the Additional Mahila Metropolitan Magistrate, Egmore, Chennai, for the alleged offences punishable under Sections 498(A), 313 IPC r/w 4 & 6 of D.P. Act.

2. The petitioners are the husband and relatives of the defacto complainant. The second accused died. When the matter was earlier listed for hearing, this Court had referred the matter to Mediation by an order dated 18.03.2024. The mediation process was completed and the parties have now arrived at a settlement. The scanned copy of the said agreement is as follows:



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SETTLE AGREEMENT

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This SETTLEMENT AGREEMENT entered into on 26.06.2024 between

A.YOKESH

S/o. Thiru.Anbu,

No.424, Kattapomman Street,

Periyar Nagar,

Chennai -600039.

And

Tmt. M.Arulmozhi,

W/o.Thiru.Yogesh,

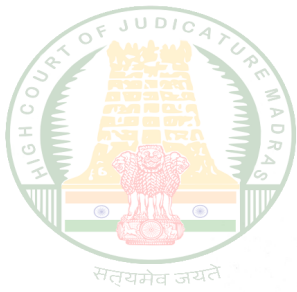
D/o.Thiru.T.Mani,

No.26/18, Haridass 2nd Street,

Kolathur, Chennai-600099.

WHEREAS

1. Disputes and differences had arisen between the parties hereto and CrI.O.P.No.16940/2022 was filed on 07.07.2022 before High Court at Madras.
2. The matter was referred to mediation / conciliation vide an order dated 18.03.2024 passed by Hon'ble Justice T.V.Tamil Selvi.
3. The Parties agreed that Sudharshana Sunder would act as their Mediator/Conciliator.
4. Several meetings were held during the process of Mediation / Conciliation from 26.03.2024 to 26.06.2024 and the parties have with the assistance of



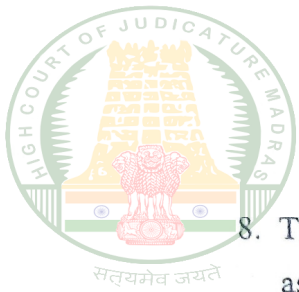
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the Mediator/ Conciliator voluntarily arrived at an amicable solution resolving the above mentioned disputes and differences.

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;
 - A. Parties agree to dissolve the marriage by filing a petition for mutual consent u/s.13 (B) of H.M.Act.
 - B. The Respondent / wife agrees to not press the complaint given against husband and family members in PRC 11/2019 on the file of Additional Mahila Court , Egmore and against which quash petition preferred by petitioner/ husband in CrI.O.P.No.16940/2022 and the same the wife agreed to file consent affidavit for the above quash application
 - C. The husband agrees to pay a sum of Rs. 2 Lakhs towards permanent alimony and a sum of Rs. 8 Lakhs towards jewellery.
 - D. The husband has already paid Rs.5,00,00/- toward jewellery and a sum of Rs.3,00,000/- will be paid at the time of filing consent affidavit in CrI.O.P.16940/2020. The remaining 2 lakhs will be paid at the time of filing proof affidavit before the court in OP filed for divorce u/s 13B of H.M.Act.
7. By signing this Agreement the Parties hereto state that they have no further claims or demands against each other with respect to CrI.O.P.NO.16940 /2022 and all disputes and differences in this regard have been amicably settled by the Parties hereto through the process of conciliation / Mediation.



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8. The parties state that there will be no other claim against each other except as stated above.

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DATE:26.06.2024

PARTIES SIGNATURE: (Petitioner)

(Respondent)

COUNSELS SIGNATURE: (Petitioner)

(Respondent)

3. As per the above agreement, the first petitioner agreed to pay a sum of Rs.8,00,000/- towards the jewels received from the defacto complainant and Rs.2,00,000/- towards permanent alimony. It was further agreed between the parties that initially a sum of Rs.5,00,000/- would be paid and a sum of Rs.3,00,000/- would be paid at the time of quashing of proceedings. The defacto complainant has confirmed receipt of Rs.5,00,000/- and today the first petitioner has handed over a Demand Draft bearing No.249802 dated 10.03.2025 for Rs.3,00,000/- drawn on City Union Bank Limited, Chennai, Perambur, in favour of the second respondent/defacto complainant, which is acknowledged by the defacto complainant. It is also agreed



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between the parties that the remaining Rs.2,00,000/- will be paid at the time of disposal of the Divorce Petition pending before the Family Court.

4. In view of the aforesaid facts, this Court is of the view that further continuation of proceedings is a futile exercise and accordingly the proceedings in P.R.C. No.11 of 2019 on the file of the Additional Mahila Metropolitan Magistrate, Egmore, Chennai, are quashed.

5. In the result, this Criminal Original Petition is allowed. Consequently connected Criminal Miscellaneous Petitions are closed.

11.03.2025

bga

To

The Inspector of Police,
W-17, All Women Police Station,
Peravallur, Chennai.



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SUNDER MOHAN, J.

bga

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11.03.2025