



WEB COPY

CRL OP No. 17742 of 2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

**CRL OP No. 17742 of 2021
and CRL MP No.9737 of 2021**

1. S.Sivaraman
S/o Late Sarangapani,
No.69/11, Sundarababu Nagar, Veppampattu,
Thiruvallur District 602024
2. SHANTHI
W/o Late.Sarangapani,
No.69/11, Sundarababu Nagar, Veppampattu,
Thiruvallur District 602024

Petitioner(s)

Vs

1. The Inspector Of Police
All Women Police Station, Thiruvallur District
2.D. Santhya
W/o S. Sivaraman, No.21/15, Kosa Street,
Contonment, Kumananchavady,
Ponnamallee, Chennai 600056

Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, pleaded to call for the records relating to the FIR in Crime No.13 of 2021 on the file of the Inspector of Police, All Women Police Station, Thiruvallur and quash the same and pass such further or other orders as this Honble Court.

For Petitioner(s): N.Selva Rajan

For Respondent(s): Mr.S.Santhosh, Government Advocate
(Criminal Side) For R1
V.G. Anbarasu-ms/732/1990 For R2



ORDER

WEB COPY

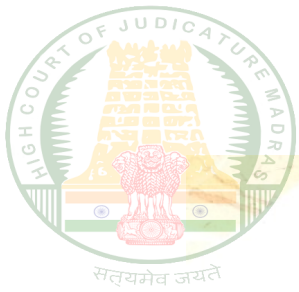
This Criminal Original Petition has been filed by the petitioner seeking to quash the First Information Report filed based on the complaint lodged by the de facto complainant/R2 for the alleged offences under Sections 498A and 307 of IPC.

2. It is the case of the de facto complainant that her husband/the first petitioner along with his mother/second petitioner used to abuse and assault her in an inebriated condition; on 18.03.2021, the first petitioner abused the de facto complainant's mother and attacked the de facto complainant and further, tried to cause her death by placing a pillow on her face.

3. When the matter was earlier listed before this Court, this Court had directed the parties to appear before the Tamil Nadu Mediation and Conciliation Centre, attached to this Court. The parties appeared before the Mediation Centre and have arrived at a compromise. They have entered into a Settlement Agreement dated 13.12.2023. The Mediation Report along with the Settlement Agreement filed by the parties have been filed before this Court.

4. Learned counsel appearing for both the parties therefore submitted that the First Information Report may be quashed based on the Settlement Agreement.

5. The first petitioner and the de facto complainant were present before this Court and they were identified by the first respondent Police. The scanned copy of the Settlement Agreement reads as follows :-



WEB COPY

CRL OP No. 17742 of 2021



SETTLEMENT AGREEMENT

This SETTLEMENT AGREEMENT entered into on 13.12.2023 at Chennai between:-

Mr. S. SIVARAMAN, Son of Late. Sarangapani, aged about 38 years and **Mrs. SHANTHI**, wife of Late. Sarangapani, aged about 61 years both residing at No: 69/11, Sundarababu Nagar, Veppampattu, Thiruvallur district, Pin-602 024, hereinafter called the party of the FIRST PART:-

And

Mrs. D. SANDHYA wife of S. Sivaraman, aged about 32 years, residing at No: 20/15, Kosa street, Contonment, Kumananchavadi, Chennai - 56, hereinafter called the party of the SECOND PART:-

1. WHEREAS said Mr. S. Sivaraman and Mrs. D. Sandhya got married on 22.05.2015, in the wedlock they have a male child namely S. Sravan aged about 7 years.

2. WHEREAS the parties were living as a joint family, during their marital life there was disputes among them, as such Mrs. D. Sandhya the party of the second part had given a criminal complaint before the sub-inspector of police All women police station, Thiruvallur, the same was registered in crime No: 13/2021, thereafter S. Sivaraman has filed a petition for divorce as against Mrs. Sandhya, the same was pending before the sub-court Poonamallee in O. P. No: 381/2021, thereafter it was transferred to sub-court, Ambattur and numbered as O. P. No: 509/2023, in the meantime the parties decided to settle their issue amicably in view to re-union, as such the above O. P. was withdrawn as settled on 6.10.2023.

3. WHEREAS said Mr. S. Sivaraman has filed a petition to quash the FIR in crime No: 13/2021 on the file of the inspector of police, All women police station, Thiruvallur, the same is pending before the Hon'ble High court of Madras in CrI. O. P. No: 17742/2021.

4. The matter was referred to mediation / conciliation vide an order dated 16.11.2023 passed by the Hon'ble High court of Madras.

S. S. -
S. Sivaraman

D. Sandhya



WEB COPY

-2-

5. The parties agreed that Ms. V. MALLEESWARI would act as their mediator/Conciliator

6. Several meetings were held during the process of Mediation /Conciliation from 21.11.2023 to 13.12.2023 and the parties have with the assistance of the Mediator / Conciliator voluntarily arrived at an amicable solution resolving the above mentioned disputes and differences.

7. 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.

8. The following settlement has been arrived at between the Parties hereto:

A. Mr. S. Sivaraman undertake to lead the matrimonial life with Mrs. D. Sandhya from 01.05.2024 along with their son S. Sravan.

B. Mr. S. Sivaraman undertake to pay only a sum of Rs. 10,000/- (Rupees Ten thousand only) per month as monthly maintenance at present to Mrs. D. Sandhya and S. Sravan from December 2023.

C. Mr. S. Sivaraman undertakes to pay the school fees to S. Sravan and medical expenditures to Mrs. D. Sandhya and S. Sravan.

D. Mrs. D. Sandhya have no objection to quash the F.I.R. in crime No: 13/2021 on the file of the inspector of police, all women police station, Thiruvallur in Crl. O.P. No: 17742/2021 pending before the Hon'ble High court of Madras.

WHEREAS the party of the second part believing the representation/undertaking given by No: 1 in the parties of the first part she is coming forward to say no objection to quash the FIR.

S. Sivaraman

D. Sandhya



WEB COPY

CRL OP No. 17742 of 2021



-3-

9. By signing this Agreement the Parties hereto state that they have no further claims or demands against each other with respect to (Crime No: 13/2021 on the file of the inspector of police, all women police station, Thiruvallur in Crl. O.P. No: 17742/2021 pending before the Hon'ble High court of Madras) and all disputes and differences in this regard have been amicably settled by the Parties hereto through the process of conciliation /Mediation.

DATE : 13.12.2023

PARTIE'S SIGNATURE :

S. S. —
S. S. (Petitioner)

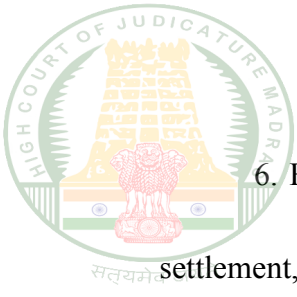
D. Sandhya
(Respondent)

COUNSEL'S SIGNATURE :

K. P. —
(Petitioner)

P. K. —
(Respondent)





6. From the above settlement agreement, it is seen that the parties have arrived at a settlement, by which, the first petitioner agreed to pay maintenance to the de facto complainant/R2 at a sum of Rs.10,000/- and to pay school fees to his son, Sravan. He also undertook to take care of medical expenses of the de facto complainant and their son. In the said agreement, the de facto complainant/R2 had recorded that she had no objection in quashing the First Information Report.

7. The First Information Report essentially arises out of a matrimonial dispute. In view of the compromise arrived at between the parties and the submission of the de facto complainant, this Court is inclined to quash the FIR. The Settlement Agreement entered into between the parties shall form part of the court record.

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.13 of 2021, on the file of the first respondent police, is quashed. Consequently, the connected miscellaneous petition is closed.

27-02-2025

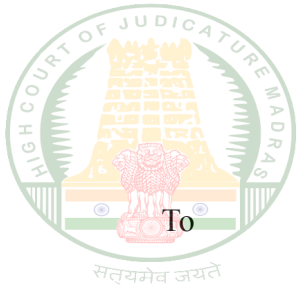
ham

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. The Inspector Of Police
All Women Police Station, Thiruvallur District

2. D. Santhya
W/o S. Sivaraman, No.21/15, Kosa Street,
Contonment, Kumananchavady,
Ponnamallee, Chennai 600056



WEB COPY

CRL OP No. 17742 of 2021



SUNDER MOHAN J.

ham

**CRL OP No. 17742 of 2021
and CRL MP No.9737 of 2021**

27-02-2025