



Crl.R.C.No.682 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.682 of 2025
and Crl.M.P.Nos.10407 & 10408 of 2025

Mohamed Rafi

... Petitioner

Vs.

1. The State Rep. by
The Inspector of Police,
W-7, All Women Police Station,
Anna Nagar,
Chennai – 600 040.

2. S.Yasmeen Sultana

... Respondents

PRAYER: Criminal Revision has been filed under Sections 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to call for the records in Crl.M.P.No.97 of 2023 in C.C.No.161 of 2017 on the file of the learned Additional Mahila Court, Egmore, Chennai and set aside the same and allow this revision petition considering the facts and circumstances of the case.

For Petitioner : Mr.V.S.Senthilkumar

For Respondents

For R1 : Mr.A.Gopinath
Government Advocate (Crl. Side)

For R2 : Mr.T.K.Sreedevi



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ORDER

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This Criminal Revision Case has been preferred against the order dated 19.04.2025, passed by the learned Additional Mahila Court, Egmore, Chennai, in CrI.M.P.No.97 of 2023 in C.C.No.161 of 2017, thereby dismissing the petition to discharge the petitioner from the charges.

2. The petitioner is the first accused in the complaint lodged by the second respondent for the offences punishable under Sections 498-A & 406 of IPC in C.C.No.161 of 2017. The second and third accused are his parents and they filed a quash petition before this Court in CrI.O.P.No.29161 of 2018 and this Court by an order dated 20.01.2020, quashed the entire proceedings in C.C.No.161 of 2017 insofar as the accused 2 & 3, based on the compromise. Now the trial is pending for framing charges as against the petitioner alone. At that juncture, the petitioner filed an application in CrI.M.P.No.97 of 2023 to discharge him from all the charges. However, it was dismissed by the trial Court by an order dated 29.04.2025. Aggrieved by the same, the present revision.

3. While pending the revision, the petitioner and the second respondent amicably settled their issues and filed Join Memo of Compromise



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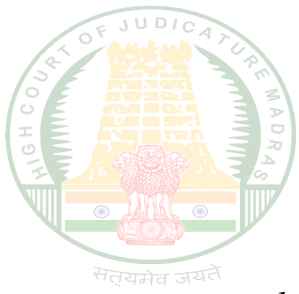
before this Court today. Both the parties are appeared before this Court and deposed that they settled the issues between themselves and the second respondent has no objection to discharge the petitioner from all the charges.

4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5. On perusal of records revealed that the petitioner is arrayed as the first accused and already the entire proceedings in C.C.No.161 of 2019 has been quashed as against the other accused persons. Now the petitioner and the second respondent entered into a Joint Memo of Compromise as follows :-

“NOW THE TERMS AND CONDITIONS OF THIS JOINT MEMO OF COMPROMISE SHALL WITNESSETH AS FOLLOWS:

i. The petitioner and the 2nd respondent have been legally separated by a decree of divorce dated 18.12.2017 passed in O.S No. 120 of 2017 on the file of the Hon'ble VI Additional Family Court, Chennai and the said decree is an ex-parte decree and the petitioner herein covenants that he will not take any steps to set aside the same as the parties have amicably resolved the dispute amongst themselves and the decree of divorce passed in O.S No. 120 of 2017 has attained its finality.



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ii. *The parties covenant that they have amicably resolved their disputes pertaining to their marriage and custody of their daughter Ms. Ayesha Siddiqha and neither party shall not initiate any proceedings against the other party pertaining to their matrimonial dispute before any forum in any manner and custody of their daughter Ms. Ayesha Siddiqha as they amicably settled dispute amongst themselves.*

iii. *The 2nd respondent in view of the compromise already entered between the parties consents to discharge the petitioner from C.C No. 161 of 2017 pending on the file of the Learned Additional Mahila Court, Egmore.*

iv. *The petitioner and the 2nd respondent covenant that they have signed this Memorandum of Understanding with their free will and free consent without any Duress or Coercion or Undue Influence and after fully understanding the terms and conditions of this Memorandum of Understanding on this the 23rd day of June 2025.”*

6. In view of the above, the order dated 19.04.2025, passed by the learned Additional Mahila Court, Egmore, Chennai, in CrI.M.P.No.97 of 2023 in C.C.No.161 of 2017, is hereby set aside. The petitioner is discharged from all the charges in C.C.No.161 of 2017. The Joint Memo of Compromise shall form part and parcel of this Order.



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WEB COPY 7. Accordingly, this Criminal Revision Case stands allowed.

Consequently, connected miscellaneous petitions are closed.

23.06.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

rts

To

1.The Additional Mahila Court,
Egmore, Chennai.

2.The Inspector of Police,
W-7, All Women Police Station,
Anna Nagar,
Chennai – 600 040.

3.The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN. J,

rts

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