



CrI.O.P (MD) No.20068 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P (MD) No.20068 of 2023

1.Kalieswaran
2.Rani
3.Pandimeenal

... Petitioners / Accused 1 ,3, 4

.vs.

1.The State of Tamilnadu rep.by
Inspector of Police
Karaikudi All Women Police Station
Sivagangai District.

..1st respondent/Complainant

(Crime No.16/2019)

2.Devika @ Devi

..2nd respondent/de facto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.1217 of 2022, on the file of Judicial Magistrate Court, Sivagangai and quash the same.

For Petitioners : Ms.S.Prabha



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For Respondents : Mr.S.Ravi
Additional Public Prosecutor
for R1
Mr.R.Karthick Rajan for R2

ORDER

This petition was filed to quash the proceedings pending in C.C.No.1217 of 2022 on the file of the learned Judicial Magistrate, Karaikudi..

2. The matter was referred to the Mediation Centre and the parties were able to reach a settlement. The mediation report has been sent to this Court along with the settlement agreement dated 08.01.2024 entered into between the parties. The relevant portions are extracted hereunder:

“6. The following settlement has been arrived between the parties hereto: Joint compromise memo enclosed.

a. The 1st petitioner herein agreed to take care of their children namely Varaneshwaran and Monisha in future, if they come to the 1st petitioner according to his economic status and also do the needful for their higher studies and marriage.

b. 2nd Respondent whole heartily already received Rs. 4

Lakhs towards the entire claim for herself and for the childrens and



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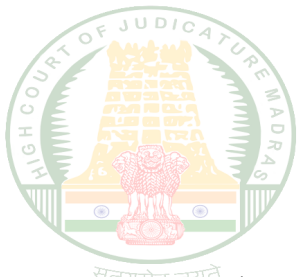
she will not claim any more in future and she also received all her belongings.

c. The 1st petitioner and 2nd respondent agreed to file mutual consent divorce petition to dissolve their marriage dated 10.02.2016.

d. 2nd respondent herein have no objection to quash the case in C.C.No. 1217/2022 on the file of the Learned Judicial Magistrate Court, Karaikudi.

7. By signing this Agreement the Parties hereto state that they have no further claims or demands against each other with respect to Crl.O.P.(MD) No20068/2023 and all disputes and differences in this regard have been amicably settled by the Parties hereto through the process of conciliation/Mediation."

3. When the matter was taken up for hearing today, all the parties were present before this Court. The defacto complainant stated that the matter has been settled amicably and that she is no longer interested in prosecuting the criminal case.



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4. A Joint Compromise Memo dated 30.10.2023, has been filed before this Court which has been signed by the petitioners and the 2nd respondent/de facto complainant and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Kamila Banu, SI of Police, AWPS Karaikudi. In the affidavit, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in C.C.No.1217 of 2022, on the file of Judicial Magistrate Court, Sivagangai.

5. Under such circumstances, no useful purpose will be served in keeping the case pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in *(2017) 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujraath)* and after exercising due caution as advised by the Hon'ble Supreme Court in *The State of Madhya Pradesh v. Dhruv Gurjar and Another* reported in *(2019) 2 MLJ Crl 10*, this Court in exercise of its jurisdiction under Section 482 Cr.P.C, quash the proceedings in C.C.No.1217 of 2022, on the file of Judicial Magistrate Court, Sivagangai.

6.

<https://www.mhc.tn.gov.in/judis>



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6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.1217 of 2022, on the file of Judicial Magistrate Court, Sivagangai, is quashed and the terms of Joint compromise memo and affidavit shall form part and parcel of this order.

Sd/-

09/01/2025

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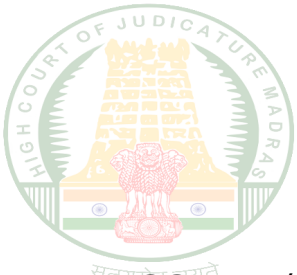
Sub Assistant Registrar
(CS- I, II, III, IV)

PKN

To

- 1.Inspector of Police
Karaikudi All Women Police Station
Sivagangai District.
2. Sessions Court for POCSO case,
Sivagangai District, Sivagangai.
- 3.The Public Prosecutor,
High Court of Madras,
Madras,

<https://www.mhc.tn.gov.in/judis>



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+1 CC to M/s. S. PRABHA, Advocate (SR-2667[F] dated 13/01/2025)

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09.01.2025

VN (24/02/2025) 6P / 5C

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