

CRL RC(MD)No.165 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL RC(MD)No.165 of 2025

and

CRL MP(MD)No.1640 of 2025

Gopalakrishnan

... Revision Petitioner / Petitioner/
Respondent

Vs.

Rajeswari

... Respondent /Respondent /
Petitioner

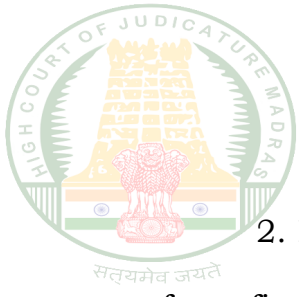
PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, 2023, to call for the records pertaining to the order passed by the learned Chief Judicial Magistrate, Kumbakonam, in CrI.M.P.No.546 of 2024 in M.C.No.35 of 2023 dated 24.05.2024 and set aside the same.

For Petitioner : Mr.S.Sarvagan Prabhu

For Respondent : Mr.K.M.Karunakaran

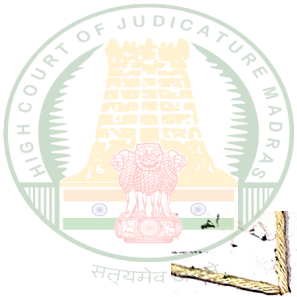
ORDER

This Criminal Revision case has been filed to call for the records pertaining to the order passed by the learned Chief Judicial Magistrate, Kumbakonam, in CrI.M.P.No.546 of 2024 in M.C.No.35 of 2023 dated 24.05.2024 and set aside the same.



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2. It is submitted that to settle the issue amicably both parties agreed for a final settlement and entered into a settlement agreement through the process of mediation on 21.04.2025. The learned counsel for the petitioner has filed a memo to that effect. The scanned copy of the memo is extracted as follows:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS
MADURAI BENCH
(Criminal Original Jurisdiction)

Crl.R.C. (M.D)No.165 of 2025

Gopalakrishnan,
S/o Palaniyapadevar,
Door No:JS-6,
Lovedable, The Lawrence School,
Udhagamandalam,
Neelagiri District.

---Revision Petitioner

-Vs-

Rajeswari,
D/o Muthiyan,
23K, North Valluvar Street,
Kumbakonam Nagar,
Thanjavur District.

--- Respondent

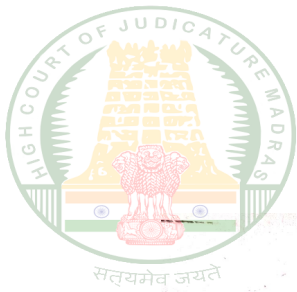
MEMO

1. It is submitted that the respondent herein filed a maintenance case against the above said petitioner in M.C.No.35 of 2023 before the Learned Chief Judicial Magistrate, Kumbakonam. Since the revision petitioner failed to appear before the Learned Chief Judicial Magistrate, Kumbakonam to contest the case, the exparte order was passed against the revision petitioner dated 01.12.2023 to pay maintenance amount of Rs.20,000/- per month.

2. It is submitted that after the above said order passed in M.C.No.35 of 2023 by the Learned Chief Judicial Magistrate, Kumbakonam, the revision petitioner herein filed a petition in Crl.M.P.No.546 of 2024 in M.C.No.35 of 2023 to set aside the exparte order passed by the Learned Chief Judicial Magistrate, Kumbakonam dated 01.12.2023. After detailed enquiry the Learned Chief Judicial Magistrate, Kumbakonam allowed the petition on

P. J. Hughes

M. R. J.



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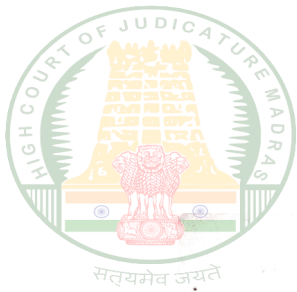
condition to pay Rs.50,000/- as a part of arrears of maintenance amount to be paid to the respondent herein on or before 24.06.2024 or otherwise the petition stands dismissed. Since the above petitioner failed to comply the order passed in Crl.M.P.No.546 of 2024 the same stands dismissed. As against the order passed in Crl.M.P.No.546 of 2024 in M.C.No.35 of 2023, the present criminal revision in Crl.R.C.(MD).No.165 of 2025 filed before this Hon'ble Court. While so, to give quietus to the issue the matter was referred to the mediation center before Hon'ble High Court, Madurai Bench.

3. It is submitted that to settle the issue amicably both parties agreed for a final settlement and entered into a settlement agreement through the process of mediation on 21.04.2025. The terms and conditions of the settlement as follows:-

1. The petitioner accepted to pay Rs.12,00,000/- (Twelve Lakhs only) as full and final settlement and to show the bonafide of the petitioner Rs.6,00,000/- (Six Lakhs only) transferred to the respondent as the 1st installment on 09.04.2025 through RTGS with NEFT. Further the petitioner will transfer the 2nd installment of Rs.6,00,000/- on or before 11.07.2025 and the respondent also accepted the same.

2. The respondent after receiving the total permanent alimony of Rs.12,00,000/- (Twelve

P. J. Singh M. R. J.



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Lakhs only) report the same before the Learned Chief Judicial Magistrate, Kumbakonam and recording the above settlement and close the maintenance case in M.C.No.35 of 2023.

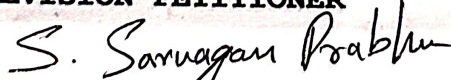
3. The respondent also recording the above settle before the Principle sub court, Palani and not press the application in I.A.No. 1 of 2024 in H.M.O.P.No. 137 of 2019.

4. It is humbly submitted that as per the above mentioned terms and conditions the 2nd installment of Rs.6,00,000/- has been transferred to the account of the respondent through NEFT transfer dated 01.07.2025. Therefore recording the same and pass any such order as this Hon'ble court may deem fit for the circumstances of the case and thus render justice.

Dated at Madurai on this 16th day of July, 2025.



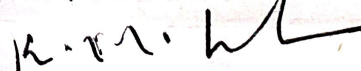
REVISION PETITIONER



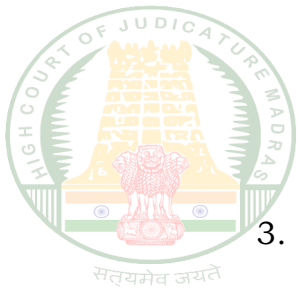
COUNSEL FOR REVISION PETITIONER



RESPONDENT.



COUNSEL FOR RESPONDENT



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3. Making this compromise memo as a part and parcel of this order, this Criminal Revision case is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

26.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml

To

The Chief Judicial Magistrate,
Kumbakonam.



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L.VICTORIA GOWRI, J.,

Sml

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