



WEB COPY

CRL RC No. 2630 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 2630 of 2025

and

CRL MP NO. 23030 OF 2025

K.Prakash
S/o.Krishnan,
No.33/17, Muthiah Second Street,
Royapettah, Chennai-600 014

..Petitioner(s)

Vs

1. State rep by the Inspector of Police
W-23, All Women Police Station,
Chennai-14.
Cr.No.9 of 2014

2. R.Anitha
D/o.Ramesh Prabhu,
No.31, 7/3.R.O.B.1st Street,
Royapettah, Chennai 14

(R2 is suomotu impleaded as per the order of
this court dated 08.12.2025 in Crl.RC.No.2630
of 2025 and Crl.MP.No.23030 of 2025)

..Respondent(s)

Criminal Revision Case filed under Sections 438 and 442 of BNSS,
praying to call for the records in C.A.No.285 of 2019 on the file of the learned
XV Additional District and Sessions Judge, Chennai, and C.C.No.1223 of 2016
on the file of the XVIII Metropolitan Magsitrate, Saidapet, Chennai, and set
aside the common order dated 06.03.2025 passed in Crl.M.P.Nos.24473 and
24474 of 2022 allow this Criminal Revision Petition.



WEB COPY

For Petitioner(s):

Mr.S.Madhusudanan

For Respondent(s):

Mr.R.Vinothraja

Government Advocate(criminal Side) For R1

ORDER

This criminal revision has been filed challenging the order passed in Crl.M.P.Nos.24473 and 24474 of 2022 dated 06.03.2025.

2. Pending the appeal before the Appellate Court, the parties had filed a petition for divorce by mutual consent. In the said proceedings, the de facto complainant had agreed that she would not pursue any other claim against the petitioner. In fact, an agreement was entered into between the parties, and it was stated that the issues between the petitioner and the de facto complainant were settled amicably.

3. The petitioner sought to recall PW1 while the appeal was pending in Crl.A.No.285 of 2019 before the learned XV Additional District and Sessions Judge, Chennai, under Section 391 Cr.P.C., and also filed a petition to compound the offence. By the impugned order, both the petitions were dismissed on the ground that the offence under Section 498A IPC cannot be compounded.



WEB COPY

4. The learned counsel for the petitioner would submit that since all the issues between the parties have been settled amicably, no useful purpose will be served in continuing the prosecution against the petitioner and would submit that the Trial Court judgment may be set aside.

5. In order to ascertain whether the averments made in the petition are true, this Court had suo motu impleaded the de facto complainant as a party and issued notice to her. The de facto complainant appeared in person and has filed an affidavit stating that she had entered into a compromise with the petitioner and had filed a petition for divorce by mutual consent, and that the same was ordered on 20.03.2020. She has further stated that she has no objection to setting aside the judgment of conviction passed in C.C.No.1223 of 2015. A Joint Compromise Memo has also been filed by the parties. Accordingly, the Affidavit and Joint Compromise Memo, duly signed by the learned counsel appearing for the second respondent, the de facto complainant, and the petitioner shall form part and parcel of this order.

6. In view of the affidavit and the Joint Compromise Memo, this Court, in exercise of its revisional jurisdiction, sets aside the judgment passed by the learned XVIII Metropolitan Magsistrate, Saidapet, Chennai, in C.C.No.1223 of



2015 dated 26.07.2029. Consequently, the appeal filed by the petitioner shall be deemed to have been disposed of in terms of the above order.

WEB COPY

7. With the above observations, this Criminal Revision Case stands allowed. Consequently, connected miscellaneous petition is closed.

25-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
cda



WEB COPY

CRL RC No. 2630 of 2



To

- 1.The XV Additional District and Sessions Judge, Chennai.
- 2.The XVIII Metropolitan Magsitrate, Saidapet, Chennai.
- 3.The Inspector of Police
W-23, All Women Police Station,
Chennai-14.
- 4.The Public Prosecutor,
High Court of Madras.



WEB COPY

CRL RC No. 2630 of 2



SUNDER MOHAN J.

cda

**CRL RC No. 2630 of 2025
and
CRL MP NO. 23030 OF 2025**

25-02-2026