

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No(s). _____ OF 2019
(Arising out of SLP (Cr1.) No. 6491 of 2019)

ANNAKODI

Appellant(s)

VERSUS

MUTHAMMAL

Respondent(s)

WITH
CRIMINAL APPEAL No(s). _____ OF 2019
(Arising out of SLP (Cr1.) No. 5442 of 2019)

WITH
CRIMINAL APPEAL No(s). _____ OF 2019
(Arising out of SLP (Cr1.) No. 8096 of 2019)

O R D E R

Leave granted.

The present Appeals have been filed by the Appellants - Accused to challenge the Orders dated 13.04.2019 and 22.06.2019 passed by the Madurai Bench of the Madras High Court in Cr1.A.(MD) No. 563 of 2008.

The High Court *vide* Order dated 13.04.2019, convicted the Appellants R.Vanaraj - Accused No.1, Annakodi - Accused No.2 (2nd Wife of A1) under Section 494 of IPC, and Appellants Muniandichiammal - Accused No.3 (Mother of A1), Chenduran @ Pattupuchi - Accused No.4 (Father of A2), Shanmugathai -

Accused No.5 (Mother of A2) under Section 494 read with 109 of IPC.

Subsequently *vide* Order dated 22.06.2019, the High Court issued warrants of arrest against the Appellants - Accused.

We are disposing of these 3 Appeals by the present Common Order. We have been informed by the Counsel for the parties that during the pendency of the matter before this Court, the parties have arrived at a Settlement. Counsel of the Complainant-Wife has submitted that she has no objection to the compounding of the offence under Section 494 of IPC which is compoundable under Section 320 (2) Cr.P.C, with the consent of the Court.

The dispute being pre-eminently civil in nature, arising out of matrimonial dispute between the Complainant-Wife and R.Vanaraj - Accused No.1, the compromise appears to be reasonable, and in the interest of the Complainant, who is the first wife of Accused No.1. The appellants have duly compensated the Complainant - Wife, and she has expressed her satisfaction with the same. The Counsel for the complainant-wife states that her consent to compound the offences is free and genuine and has not been obtained under duress. This Court grants permission to compound the offences. The Orders dated 13.04.2019 and 22.06.2019 in Cr1.A. (M.D) No. 563 of 2008

passed by the High Court is set aside; the appellants stand acquitted of the offence(s).

During the pendency of the matters before this Court, the Madurai Bench of the Madras High Court *vide* Order dated 28.09.2019, passed an Order sentencing the appellants R. Vanaraj-Accused No.1; Annakodi - Accused No.2 (second wife of A1) to undergo 7 years R.I and to pay a fine of Rs.5,000/- each and Muniandichiammal - Accused No.3, Chenduran @ Pattupuchi - Accused No.4 and Shanmugathai - Accused No.5 to undergo 3 years and 6 months R.I and to pay a Fine of Rs. 5,000/- each for the offences under Section 494 read with 109 of IPC.

The Order of sentencing dated 28.09.2019 passed by the Madras High Court is consequentially also set aside.

.....J.
(INDU MALHOTRA)

.....J.
(R. SUBHASH REDDY)

NEW DELHI;
OCTOBER 21, 2019

ITEM NO.55

COURT NO.15

SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 6491/2019

(Arising out of impugned final judgment and order dated 22-06-2019 in CRLAMD No. 563/2008 passed by the High Court Of Judicature At Madras At Madurai)

ANNAKODI

Petitioner(s)

VERSUS

MUTHAMMAL

Respondent(s)

(FOR ADMISSION and I.R. [TO CONSIDER COMPOUNDING OF THE OFFENCE UNDER SECTION 320(2) Cr. P.C.])

WITH

SLP(Cr1) No. 5442/2019 (II-C)

(FOR ADMISSION and I.R.)

SLP(Cr1) No. 8096/2019 (II-C)

IA No. 152212/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 128768/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 128767/2019 - EXEMPTION FROM FILING O.T.

IA No. 128769/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 21-10-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE INDU MALHOTRA

HON'BLE MR. JUSTICE R. SUBHASH REDDY

For the parties:

Mr. Parijat Kishore, AOR

Mr. Beno Bencigar, Adv.

Mr. K.V. Jagdishvaran, Adv.

Ms. G. Indira, AOR

Mr./Ms. Rangoli Seth, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeals are disposed of in terms of the signed order.

Pending applications, if any, are disposed of.

(NEELAM GULATI)
COURT MASTER (SH)

(Signed Order is placed on the file)

(RAJINDER KAUR)
BRANCH OFFICER