

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.10562 of 2015

1. B.Ramesh Kumar
2. Kotteswari

... Petitioners

Vs

1. State rep.by
The Inspector of Police,
W.6, All Women Police Station
Aynavaram
Chennai

2. Pon Selvi
- Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in Crime No.11/2014 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.G.Suresh

For Respondent-1 : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This petition is filed by the petitioners/accused to quash the FIR in Crime No.11/2014.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent police.

3. From a perusal of the materials available on record, it is seen that the first petitioner B.Ramesh Kumar (A.1) got married to the second respondent Pon Selvi/defacto complainant on 10.2.2014 and thereafter there was trouble in their matrimonial life. On the complaint lodged by Pon Selvi, the first respondent registered a case in Crime No.11/2014 for the offences punishable under sections 498(A), 406, 420, 494, 495, 294(b) and 506(i) IPC against the petitioners herein. The petitioners were arrested and when they

approached this Court in Criminal Original Petition No.30641 of 2014, this Court referred the matter to the Mediation Centre and before the Mediation Centre, they appeared and entered into a compromise and in the Mediation Agreement dated 15.4.2015, it is stated as follows:

"Both sides, out of their own volition and without any pressure or coercion from any side have agreed as follows:

1. Petitioners and the defacto complainant settle the disputes amicably between them and agree to live together happily.

2. Petitioner submits that the concerning the return of jewel/Gold ornaments and lumpsum amount of Rs.5,00,000/- (Rupees Five Lakhs only), they stated that some arrangements made between themselves and it should redeemed in future and return to the defact complainant on or before 15.4.2016.

3. Defacto complainant agree to give her consent to quash the complaint in Crime No.11/2014 filed against the petitioner before the Inspector of Police, W.6, All Women Police Station, Ayanavaram, Chennai 23

4. Both parties agreed that they did not have nay other claims between them."

4. In view of the above, the parties now seek to quash the FIR. It is seen that the second accused Bakthavatchala Naidu had died on 23.12.2014 and therefore, the prosecution against him abates.

5. Today, the first petitioner and the defacto complainant are present before this Court. This Court questioned the parties. The defacto complainant stated that she has no objection in the proceedings being quashed.

6. Hence, the proceedings initiated in Crime No.11 of 2014 against the petitioners on the file of the first respondent are quashed. This Criminal Original Petition is allowed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ajr

To

1. The Inspector of Police,
W.6, All Women Police Station
Aynavaram
Chennai
2. The Public Prosecutor,
High Court, Madras.

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CA(CO)
CA(19/05/2015)



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