

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.03.2015

CORAM

The Hon'ble Mr. Justice R.S.RAMANATHAN

Crl.O.P.No.8154 of 2014
and
M.P.Nos.1 and 2 of 2014

P.R.Kavitha

... Petitioner/Accused 9

vs.

The State, rep. by
Inspector of Police,
All Women Police Station,
Mettur, Salem District.

2.Kavitha

(R-2, impleaded as per order passed today,
in M.P.No.1 of 2015 in this Crl.O.P.)

... Respondents/Complainant

Criminal Original Petition filed under Section 482 of the
Criminal Procedure Code praying to call for records relating to
C.C.No.27 of 2011, on the file of Judicial Magistrate No.II, Mettur
Dam, Salem District, and to quash insofar as the petitioner is
concerned.

For Petitioner : Mr.R.C.Paul Kanagaraj, for
Mr.W.M.Abdul Majeed

For Respondents : Mr.M.Maharaja
Additional Public Prosecutor for R1

O R D E R

This Petition has been filed to quash the proceedings in
C.C.No.27 of 2011, on the file of Judicial Magistrate No.II, Mettur
Dam, Salem District.

2. The newly impleaded second respondent, by name Kavitha, is
the defacto complainant herein. She has given complaint against the
petitioner and others, and on the basis of the said complaint, case
was registered against them and charge sheet was filed for offence
under Sections 498(A), 294(b), 323 and 506(i) IPC.

3. The learned counsel appearing for petitioner filed a joint affidavit sworn to, by the second respondent/de facto complainant, stating that the second respondent settled her differences amicably with the petitioner, and therefore, the case in C.C.No.27 of 2011, may be quashed.

4. Today, the petitioner and the second respondent are present in Court. The petitioner was enquired. The second respondent was also enquired and she admitted the joint affidavit filed by her and stated that there is no need to proceed further with the case filed at her instance against the petitioner. The identity of the second respondent is also proved by the production of her voter's identity card.

5. Considering the joint affidavit filed by the second respondent/de facto complainant and also having regard to the nature of offence committed by the petitioner and the fact that the de facto complainant has compromised the matter with the petitioner, the Criminal Original Petition is allowed and the proceedings in C.C.No.27 of 2011 is quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

jvm

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II,
Mettur Dam, Salem District.

2. Inspector of Police,
All Women Police Station,
Mettur, Salem District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.W.M.Abdul Majeed, Advocate, S.R.No.12823

Cr1.O.P.No.8154 of 2014

AD(CO)
CA(16/03/2015)