

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2015

CORAM

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

Crl.O.P.No.8155 of 2014
and
M.P.Nos.1 and 2 of 2014

P.R.Kavitha

...Petitioner

vs.

1. The State, rep. by
Inspector of Police,
Karumalaikoodal Police Station,
Mettur Taluk, Salem District.

2. Sudha
(R-2, impleaded as per order passed today, (2.3.2015)
in M.P.No.1 of 2015 of this Crl.O.P.)

...Respondents

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for records relating to C.C.No.127 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 Respondent-1 : Mr.M.Maharaja
Additional Public Prosecutor

For Respondent-2 : Mrs.Sudha, Party-in-Person

O R D E R

This Petition has been filed to quash the proceedings in C.C.No.127 of 2011, on the file of Judicial Magistrate No.II, Mettur Dam, Salem District.

2. The newly impleaded second respondent, by name Sudha, is the de facto 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 chargesheet was filed for offence under Sections 147, 148, 294 (b), 323, 324 and 506 (ii) IPC

altered into offence under Sections 147, 148, 294(b), 323, 324, 506 (ii) IPC read with Section 109 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.127 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 they are living together and 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.127 of 2011 is quashed. Consequently, M.P.Nos. 1 and 2 of 2015 are closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

sd

To

1. Inspector of Police,
Karumalaikoodal Police Station,
Mettur Taluk, Salem District.

2. The Judicial Magistrate II
Mettur, Salem

3. The Chief Judicial Magistrate
Salem

4. The Public Prosecutor,
High Court, Madras.

2 ccs to Mr.W.M. Abdul Majeed, Sr. 11325

Crl.O.P.No.8155 of 2014

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