

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.14660 of 2015
and M.P.Nos.1 & 2 of 2015

1.S.Chithirai Thangaraj
2.Thinakara Pandiyan
3.Saradha
4.Thangavel Murugan ... Petitioners

Vs

1.The Inspector of Police,
All Women Police Station,
Thiruvettriur,
Thiruvallur District.

2.Deepalakshmi ... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C.,
praying to call for the records in C.C.No.1 of 2015 on the file of
the Judicial Magistrate, Thiruvottiyur and to quash the same.

For Petitioners : Mr.M.Kannan
For Respondents : Mr.C.Emalias, Addl. Public Prosecutor [for R1]
: Mr.B.Johnpaul [for R2]

O R D E R

Seeking a prayer to quash the C.C.No.1 of 2015 on the file of
the Judicial Magistrate, Thiruvottiyur, this petition has been
filed.

2. Heard the learned counsel for the petitioners and the
learned Additional Public Prosecutor appearing for the 1st
respondent and perused the materials placed on record.

3. It is seen that Deepalakshmi got married to Chithirai
Thangaraj on 09.07.2009 and their matrimonial life ran into rough
weather. The parties got estranged and on the complaint lodged by
Deepalakshmi, the respondent police registered a case in Crime
No.14 of 2012 on 05.08.2012 for the offences under Section 498A,
406, 506[i] IPC and Section 4 of TN Prohibition of Harassment of
Woman Act. After completing the investigation, the respondent
police filed a Final Report which was taken on file as C.C.No.1 of
2015 by the learned Judicial Magistrate, Thiruvottiyur.

4. Now the petitioners/accused and the defacto complainant

appear to have amicably settled all issues and therefore, they have come forward for quashing the Final Report in C.C.No.1 of 2015. Today, Deepalakshmi is present before this Court and she has been identified by Mr.V.John Paul, Enrolment No.2151/2011, Advocate. She has also filed an affidavit, wherein in paragraph no.9 and 10, it is stated as follows:

"9. I submit that myself and my husband Mr.T.Chithirai Thangaraj had entered into a Memo of Agreement dated 22.05.2015, settling the entire issue. Therefore, I have no objection in quashing the charge sheet filed against my husband and his relative, the petitioners herein in C.C.No.1 of 2015 on the file of the Judicial Magistrate, Thiruvettriur.

10. I submit that as I stated above, the matter has been settled amicable between me and my husband and inlaws, hence subsisting of the charge sheet is futile and to save the precious time of this Hon'ble Court, I am filing this consent/no objection affidavit to quash the charge sheet by allowing the above petition. Unless this Hon'ble Court record the above affidavit and allow the quash petition. I will be put to irreparable loss and hardship."

5. Recording the above and following the judgment of the Supreme Court in NARINDER SINGH AND OTHERS Vs STATE OF PUNJAB AND ANOTHER reported in [2014] 6 SCC 466, the proceedings in C.C.No.1 of 2015 is hereby quashed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

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To

1.The Inspector of Police,
All Women Police Station,
Thiruvettriur,
Thiruvallur District.

2.The Public Prosecutor,
High Court, Madras.

1 cc to M/s.M.Kannan , Advocate Sr.No.29803

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rsk(Co)
pmk.1.7.2015