

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.19748 of 2015

1.Vignesh Ravindran
2.Ravindran
3.Geetha Ravindran

...Petitioners

Vs

1. State rep. by Inspector of Police,
W21, All Women Police Station,
Guindy, Chennai - 32.

2. G. Lakshmi Priya

...Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the proceedings in C.C.No.516 of 2014 pending on the file of Judicial Magistrate, Alandur and quash the same.

For Petitioners : M/s.Sivakami Shanmugam Pillai

For Respondent No.1 : Mr.C.Emalias
Additional Public Prosecutor

For Respondent No.2 : Mr.P.S.Seetharaman

ORDER

This criminal original petition has been filed to call for the records pertaining to the proceedings in C.C.No.516 of 2014 pending on the file of the Judicial Magistrate, Alandur and quash the same.

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

3. It is seen that the second respondent got married to the first petitioner on 12.09.2008 and thereafter, their matrimonial life ran into rough weather resulting in, they getting estranged. On a complaint lodged by the second respondent, the first respondent police registered a case in Crime No.12 of 2012 and after completing the investigation, filed a final report in C.C.No.516 of 2014 before the learned Judicial Magistrate, Alandur, for offences under Sections 498 (A), 406, 420 506(ii) I.P.C against the petitioners herein, challenging which, the petitioners are before this Court on the ground that all disputes have been amicably settled and that, the marriage has also been dissolved.

4. Mr.P.S.Seetharaman, learned counsel for the second respondent is present and the second respondent has filed a consent affidavit before this Court, wherein, it is stated as follows;

" 3. I further submit that during the pendency of the proceedings myself and the petitioner/accused after discussion arrived to settle the issues amicable and I have received a compensation of Rs.5,00,000/- (Rupees Five Lakh only) by way of two instruments, a sum of Rs.2,50,000/- by way of cheque no's "938446" dated 24.07.2014, on the date of presentation of OP 2651 of 2014 and a sum of Rs.2,50,000/- (Rupees Two Lakh fifty thousand only) by way of DD "015918" & "015919" dated 08.01.2015 drawn on ICICI Bank, Nungambakkam, Chennai and I have received the same on 23.01.2015.

4. In view of that I am swearing this Affidavit to withdraw the above said C.C.No.516 of 2014 on the file of Judicial Magistrate, Alandur, and crime No.12 of 2012 on the file of the 1st respondent police may be dismissed as withdrawn and the same may be reported before this Hon'ble Court.

5. I am swearing this affidavit out of my own free will and consent without any threat or Coercion, undue influence, Misrepresentation and after understanding the contents of the affidavit and signed this affidavit."

5. Ms.V. Senthil Vadivu, Inspector of police, All Women Police Station, Guindy, is present before this Court.

6. In view of the settlement arrived at between the parties, the entire prosecution in C.C.No.516 of 2014 on the file of the learned Judicial Magistrate, Alandur, is hereby quashed.

In view of the above, the criminal original petition is allowed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

sms

To

1. Inspector of Police,
W21, All Women Police Station,
Guindy, Chennai - 32.
2. The Learned Judicial Magistrate,
Alandur.
3. The Public Prosecutor
High Court, Madras.

2 CCs to M/s. Sivakami Shanmugam Pillai, Advocate SR.No. 43197

Cr1.OP No.19748 of 2015

MSM (CO)
PSI (07.09.2015)

सत्यमेव जयते

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