

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.21911 of 2015
and M.P.No.1 of 2015

1.B.Surendrababu
2.B.Nagarathinammal
3.B.Prasad
4. Girija
5.Chintala Venkatadri

.. Petitioners

Vs

1.State of Tamil Nadu
rep by Inspector of Police
W-35, All Women Police Station
West Tambaram, Chennai 600 045
(Crime No.3 of 2015)

2.Anisha

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C.
to call for the records in C.C.No.246 of 2015 on the file of the
Judicial Magistrate, Tambaram and quash the same.

For Petitioners : Mr.K.Subbu Ranga Bharathi
For R1 : Mr.C.Emalias, Addl.Public Prosecutor
For R2 : Mr.P.K.Ganesh

O R D E R

This petition has been filed to call for the records in
C.C.No.246 of 2015 on the file of the Judicial Magistrate, Tambaram
and quash the same.

2. For the sake of convenience, the parties will be referred
to by their name.

3. Anisha got married to Surendrababu on 10.05.2006 and they
have one son through the wedlock. It appears that their marriage
ran into rough weather and the parties got estranged. While so,
Anisha lodged a complaint, based on which the respondent police
registered a case in Cr.No.3 of 2015 and after completing the
investigation, filed a Final Report in C.C.No.246 of 2015 before
the learned Judicial Magistrate, Tambaram for offences under

Sections 498(A), 306 IPC and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act, 1998. Now it appears that the parties have arrived at an amicable settlement.

4. Today, T.P.A.Pauline, Inspector of Police, W.35, All Women Police Station, Tambaram is present. Anisha, the defacto complainant is also present and she has been identified by the said Police Officer. Anisha has filed an affidavit, wherein it is stated as follows in paragraphs 4, 5 and 6:

"4. I state that I have entered into a joint memo of compromise dated 15.09.2015 with the first petitioner. I undertake that I will act upon the terms of joint memo of compromise. I will not violate the terms of joint memo of compromise.

5. I submit that the first petitioner has also sworn a separate affidavit herein, reporting the compromise and seeking quash of the proceedings in C.C.No.246 of 2015 pending on the file of the learned Judicial Magistrate, Tambaram. He undertakes that he will act upon the terms of memo of compromise. He also agreed that he will not violate the terms of joint memo of compromise.

6. I submit that prima facie the issue was family dispute, nevertheless the issue has been amicably settled between us and therefore the pendency of the C.C.No.246 of 2015 pending on the file of learned Judicial Magistrate, Tambaram against the petitioners would not serve any useful purpose."

In view of the above, this petition is allowed and the entire prosecution as against all the accused in C.C.No.246 of 2015 on the file of the learned Judicial Magistrate, Tambaram is hereby quashed. Consequently, connected miscellaneous petition is closed.

-Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

To

1. Judicial Magistrate, Tambaram.

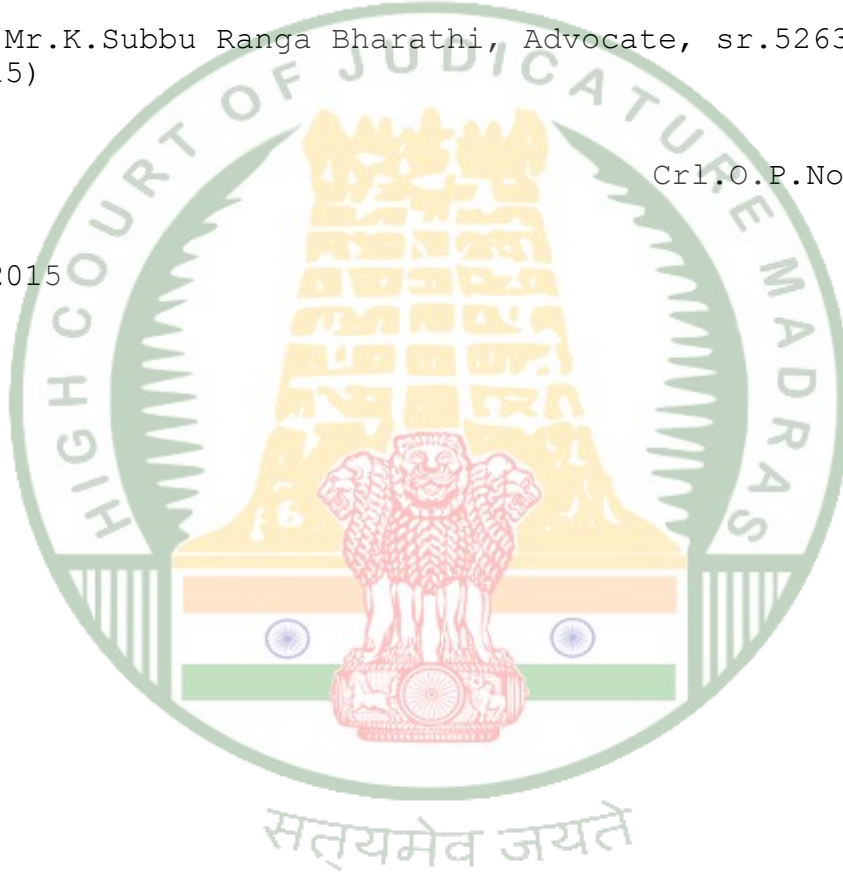
2. The Public Prosecutor,
High Court,
Madras.

3. The Inspector of police,
w-35 all women police station
West Tambaram, Chennai -45

+4 CCS to Mr.K.Subbu Ranga Bharathi, Advocate, sr.52634
(29/09/2015)

Cr1.O.P.No.21911 of 2015

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cp 28/09/2015



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