

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.No.10177 of 2013

and M.P.No.1 of 2013

Siddharth Dharmasenam

.. Petitioner

Vs

1. State rep by
The Inspector of Police
S-4, Nandamabakkam Police Station
Nandambakkam, Chennai.

2. Anenda Angelyne David

.. Respondents

[R2 impleaded as per order of the Court dated 03.08.2015]

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in C.C.No.802 of 2012 pending before the Judicial Magistrate Court at Alandur and to quash the same.

For Petitioner : Mrs.Nalini Chidambaram
Senior Counsel
for Ms.C.Uma

For R1 : Mr.C.Emalias,
Addl.Public Prosecutor

For R2 : Mr.U.Sri Murugan

ORDER

This petition has been filed to call for the records in C.C.No.802 of 2012 pending before the Judicial Magistrate Court at Alandur and quash the same.

2. Heard the learned counsel for the petitioner, learned Additional Public Prosecutor appearing for the State and the learned counsel for the intervenor.

3. It is seen that the petitioner and the second respondent underwent a form of marriage without conducting the ceremonies as required under the Christian Law. On a complaint lodged by the defacto complainant, the respondent police registered a case in Cr.No.1963 of 2012 and after completing the investigation, filed a Final Report in

C.C.No.802 of 2012 before the learned Judicial Magistrate, Alandur for offences under Sections 341, 323, 294(b), 385, 506(i) IPC r/w Section 4 of Women Harassment Act. During the pendency of the prosecution, it appears that the petitioner and the defacto complainant had arrived at a compromise as could be seen from the decree dated 28.05.2014 in O.S.No.108 of 2014 passed by the II Additional Family Court, Chennai, which reads as under:

"In the result, this suit is decreed and it is hereby declared that the marriage certificate No.103, dated 14.10.2011 issued by the Pastor Maran Gnanasekar on 14.10.2011 at 18/41, AJ Colony, 4th street, Royapuram, Chennai 600 013 and the same is registered before the Sub Registrar, Royapuram vide Marriage Certificate in S.No.3126/2011 dated 14.10.2011 are null and void and non-est in the eye of law."

4. Mr.U. Sri Murugan, learned counsel who appeared for the defacto complainant submitted that the parties have arrived at a compromise and therefore, the defacto complainant has no objection in this Court quashing the prosecution. Recording his submission, this petition is allowed and the proceedings in C.C.No.802 of 2012 pending on the file of the learned Judicial Magistrate, Alandur are hereby quashed. Consequently, connected miscellaneous petitions are closed
gms

Sd/-
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1. The Inspector of Police
S-4, Nandamabakkam Police Station
Nandambakkam, Chennai.
2. The Judicial Magistrate Court
at Alandur.
3. The Chief Judicial Magistrate,
Chengalpattu
4. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.10177 of 2013

SK(CO)

Sd/- 04/11/2015

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