

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.03.2015

CORAM

THE HONOURABLE MR.JUSTICE R.S.RAMANATHAN

CrI.O.P.No.25238 of 2014
& M.P.No.1 of 2014

Fawwaz Raid @ Ramakrishnan .. Petitioner/Accused

vs.

1. Chidambara Vadivoo
2. The Inspector of Police
W 19, All Women Police Station
Adyar, Chennai .. Respondents/Defacto Complainant/
Complainant.

Criminal Original Petition filed under section 482 of Criminal Procedure Code praying to call for the records of the proceedings in C.C.No.3087 of 2013 taken cognizance by the Hon'ble IX Metropolitan Magistrate, Saidapet and quash the criminal proceedings against the petitioner/accused.

For Petitioner : Mr.K.Mahalakshmi

For Respondents: M/s.C.Sangamithirai for R1
Mr.M.Maharaja
Additional Public Prosecutor for R2

सत्यमेव जयते
O R D E R

This petition has been filed to quash the proceedings in C.C.No.3087 of 2013 filed at the instance of the 1st respondent by the 2nd respondent against the petitioner for offence under Sections 498A and 406 I.P.C.

2. The first respondent has filed a memo of compromise stating that she does not want to prosecute the case as she has filed a petition in H.M.O.P.No.2280 of 2014 for declaration that the marriage between her and the petitioner is null and void and she has also withdrawn the maintenance petition filed in M.C.No.435 of 2012 on the file of the I Additional Family Court, Chennai and the petitioner has also withdrawn the H.M.O.P.No.92 of 2012.

3. The 1st respondent is present in Court and she also admitted the filing of memo of compromise and expressed her intention not to proceed with the case.

4. Considering the fact that the petitioner and the 1st respondent are the husband and wife and the 1st respondent has filed an application for declaration that the marriage between her and the petitioner is null and void and she does not want to prosecute the case, this Criminal Original Petition is allowed. The proceedings in C.C.No.3087 of 2013 on the file of the IX Metropolitan Magistrate, Saidapet is quashed. Consequently, connected miscellaneous petition is closed.

vsm

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police
W19, All Women Police Station
Adyar, Chennai
2. The IX Metropolitan Magistrate,
Saidapet, Chennai.
3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.R.Mahalakshmi, Advocate SR 17556

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सत्यमेव जयते

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