

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.09.2015

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

CRL.O.P. NO.24243 OF 2015

1.S.Hursha Raaj
2.Anuradha Sekar
3.R.Sekar

.. Petitioners/Accused 1 to 3

Versus

1.State : The Inspector of Police,
W-32, All Women Police Station,
Madipakkam, Chennai - 600 091.Ist Respondent/Complainant

2.V.Neha ... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records and quash the C.C.No.253 of 2015 on the file of the learned Judicial Magistrate, Alandur, Chennai and quash the final report / charge sheet filed by the first respondent.

For Petitioners : M/s.Sudha Ramalingam
For Respondent-1 : Mr.M.Mohamed Riyaz
Government Advocate [Crl.Side]
For Respondent-2 : M/s.L.Margaret

O R D E R

The petitioner has come up with this petition, to call for the records in C.C.No.253 of 2015 on the file of the learned Judicial Magistrate, Alandur, Chennai and to quash the final report / charge sheet filed by the first respondent.

2. Heard both sides.

3. Today when the matter is taken up for hearing, the learned counsel for the petitioners as well as the second respondent submitted that the parties have compromised the matter among themselves. In this connection, the learned counsel for the de facto complainant has filed vakalat and she has also filed an affidavit signed by the de facto complainant stating no objection for quashing the charge sheet filed by the first respondent in C.C.No.5 of 2015 on the file of the learned Judicial Magistrate, Alandhur, Chennai as against all the petitioners.

4. In so far as compounding of the offence is concerned, the learned Government Advocate [Criminal Side] by relying upon the Judgment of the Hon'ble Supreme Court in GIAN SINGH vs. STATE OF PUNJAB reported in [2012] 10 SCC 303" would submit that in matters relating to matrimonial cases pending the case, the offence can be compounded.

5. In view of the above submission, the charge sheet filed in C.C.No.253 of 2015 on the file of the learned Judicial Magistrate, Alandur, Chennai is quashed and this Criminal Original Petition is ordered as prayed for.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

- 1.The Judicial Magistrate, Alandur, Chennai.
- 2.The Inspector of Police,
W-32, All Women Police Station,
Madipakkam, Chennai - 600 091.
- 3.The Public Prosecutor,
High Court of Madras, Chennai - 600 104.

3 cc to M/s.Sudha Ramalingam , Advocate Sr.No.52845

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pmk.5.10.2015

सत्यमेव जयते

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