

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 6-10-2015

Coram

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.10329 of 2013

M.P.No.1 of 2013

1. C. Malathi
2. C. Devi Bala .. Petitioners

Vs.

The State by Inspector of Police,
F1, Chinthadripet Police Station,
Chennai - 600 002.
Crime No.1826 of 2012

.. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. with a prayer to call for the records in C.C.No.713 of 2013 on the file of XIV Metropolitan Magistrate, Egmore, Chennai and direct the respondent to record the petitioners statement afresh and file a fresh charge sheet in the above case.

For Petitioners : Mr.A.P.Surya Prakasam
For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

On a complaint lodged by B.Chidambaradanu, the respondent/Police registered a case in Cr.No.1826 of 2012 and on completion of investigation, filed final report in C.C.No.713 of 2013 before the XIV Metropolitan Magistrate, Egmore, Chennai, challenging which the wife and daughter of B.Chidambaradanu are before this Court.

2. It is the case of the prosecution that B.Chidambaradanu and his wife Malathi had some matrimonial disputes and at the instance of Malathi, her two brothers viz., Parthasarathy (A-1) and Harikrishnan (A-2) came to the house and assaulted B.Chidambaradanu on 21.11.2012.

3. Now it appears that the parties have arrived at an amicable settlement and they have come before this Court seeking to quash the prosecution.

4. Today B.Chidambaradanu is present in the Court and has filed an affidavit in which in paragraphs 2 and 3 it is stated as follows:

"2. I submit that due to misunderstanding between me and my wife we quarreled with each other and I filed a case against my brother in laws in C.C.No.713 of 2013 pending on the file of the XIV Metropolitan Magistrate, Egmore, Chennai, and my wife has filed present direction petition in CrI.O.P.No.10329/2013 pending before this Hon'ble Court and also several petitions in the family court seeking alimony which are all pending.

3. I submit that due to the intervention of the friends and relatives and due to the fact that my daughter has attained marriage age both me and my wife have now decided to withdraw all the cases filed against each other. I pray that this Hon'ble Court may be pleased to quash the criminal case pending in C.C.No.713/2013 pending on the file of the XIV Metropolitan Magistrate Court, Egmore, Chennai and thus render justice."

4. In view of the above, this Criminal Original Petition is allowed and the prosecution in C.C.No.713 of 2013 on the file of XIV Metropolitan Magistrate, Egmore, Chennai, is hereby quashed. Connected miscellaneous petition is closed.

vr

-s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The XIV Metropolitan Magistrate, Egmore, Chennai.
2. -do- thro the Chief Metropolitan Magistrate, Egmore, Chennai 8.
3. The Inspector of Police, F1 Chindadripet Police Station, Chennai-2.
4. The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.A.P.Suryaprakasam, Advocate SR 54425

sv(co)
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