

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2015

CORAM

The Hon'ble Mr. Justice R.S.RAMANATHAN

Cr1.O.P.No.25553 of 2014

1.Senthilkumar
2.S.Kalyani
3.Abirami
4.Padmavathi
5.Girija

...Petitioners/Accused 1 to 5

vs.

1.The State by
Inspector of Police,
All Women Police Station,
Villupuram.

2.S.Prema

...Respondents/Complainant and
Defacto Complainant

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for the records in C.C.No.263 of 2012 on the file of the Judicial Magistrate No.I, Villupuram and quash the same.

For Petitioners: Mr.S,Vijayakumar

For Respondents: Mr.M.Maharaja
Additional Public Prosecutor for R1

Mr.Durai Gunasekaran for R2

O R D E R

The second respondent is the defacto complainant in C.C.No.263 of 2012 on the file of the Judicial Magistrate No.I, Villupuram. On the basis of the complaint given by the second respondent, case was registered in Crime No.12/2012 for the offences under Sections 498 (A), 294(b) and 506(i) IPC and after investigation, charge sheet was filed against the petitioners, who are arrayed as accused 1 to 5. This petition is filed to quash the said proceedings.

2. The learned counsel for the petitioners submitted that the second respondent/defacto complainant and the first petitioner settled the differences and arrived at an amicable settlement and the second respondent also received all her jewels and belongings and she has no grievance against the petitioners and she has no objection in quashing the criminal case filed at her instance and she has also filed an affidavit to that effect.

3. Heard the learned Additional Public Prosecutor appearing for the first respondent police.

4. The second respondent/defacto complainant is also present before this Court and she admitted the filing of the affidavit and stated that she has no objection in quashing the proceedings and she has also received back all the jewels. She has also admitted that the marriage between her and the first petitioner was dissolved by a decree of mutual consent on 18.02.2015 in H.M.O.P.No.102 of 2014 before the Sub-Court, Mannargudi.

5. Considering the nature of offence alleged and that parties have arrived at a compromise as stated in the affidavit filed by the second respondent, this Criminal Original Petition is allowed and the proceedings in C.C.No.263 of 2012 on the file of the Judicial Magistrate No.I, Villupuram is quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jvm

To

- 1.The Judicial Magistrate NO.I, Villupuram
2. -do- Through The Chief Judicial Magistrate, Villupuram.
- 3.Inspector of Police,
All Women Police Station, Villupuram
4. The Public Prosecutor, High Court, Madras.

+ 1 cc to M/s. Dourai Gunasekaran, Advocate SR.18600
+ 1 cc to M/s.S. Vijayakumar, Advocate SR.18599

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RK(CO)
EU 16.04.2015