

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.25295 of 2015
and M.P.No.1 of 2015

1.Anoop Balaram
2.Ashok Balaram
3.Sheela Balaram .. Petitioners

Vs

1.State rep by
The Inspector of Police
W8, All Women Police Station
Thirumangalam, Chennai 101.

2.K.J.Anisha ... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in C.C.No.1061 of 2015 on the file of the X Metropolitan Magistrate Court, Egmore, Chennai and quash the same.

For Petitioners : Mrs.Geeta Ramaseshan

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

For R2 : Mr.A.Kumaraguru

ORDER

This petition has been filed to call for the records in C.C.No.1061 of 2015 on the file of the X Metropolitan Magistrate Court, Egmore, Chennai and quash the same.

2. Heard the learned counsel for the petitioners, learned Additional Public Prosecutor appearing for the State and the learned counsel for the second respondent.

3. For the sake of convenience, the parties will be referred to by their name.

4. Anisha [defacto complainant] and Anoop Balaram [A1] got married on 12.09.2012 and they have no children through the wedlock. Their marriage ran into rough weather and they got estranged. On the complaint lodged by Anisha [defato Complainant], the respondent police registered a case in

Cr.No.25 of 2015 and after completing the investigation, filed a Final Report in C.C.No.1061 of 2015 before the learned X Metropolitan Magistrate, Egmore, Chennai for offences under Sections 498(A) and 506(i) IPC, challenging which the parties are before this Court on the ground that, they have amicably settled all issues.

5. Today Anisha [defacto complainant] is present before this Court and she has filed an affidavit, wherein it is stated as follows:

"2. I submit that the 1st petitioner and I were married on 12.09.2012 at Hotel Asoka, Commander in Chief Road, Egmore, Chennai -6 according to Hindu rites and customs. The second and third petitioner are my father in law and mother in law. There were many issues between us resulting in the 1st petitioner filing OP 3232/14 on the file of the Principal Family Court and by filing the above C.C. and proceedings under the Domestic Violence Act.

3. It is true that O.P.No.3232 of 2014, was referred to mediation and the matter was amicably settled between the parties and we both filed O.P.No.1124 of 2015 to dissolve our marriage on the grounds of mutual consent and the same is posted on 30.09.2015.

4. According to the terms and conditions of the mutual consent, the 1st petitioner has agreed to pay me a sum of Rupees thirteen lakhs as permanent alimony on the date of recording evidence in OP for mutual consent and I have agreed to take steps to give a closure to the criminal complaint filed by me under Section 498A and 506(i) IPC vide Cr.No.25/2014 in C.C.No.1061 of 2015 on the file of the Hon'ble X Metropolitan Magistrate Court at Egmore and if necessary also give my consent to quash proceedings before the Honourable High Court and also to withdraw the domestic violence case filed by me. I have this day received a sum of Rs.13,00,000/- (Rupees thirteen lakhs only) by D.D.No.497264 dated 29.09.2015 drawn on Federal Bank Ltd., Chennai.

5. I submit that in view of all issues being settled between us I have no objection to quash the proceedings in the above CC and

consent to the same. In these circumstances I consent to the quashing the charge sheet in C.C.No.1061/2015 on the file of the X Metropolitan Magistrate Court, Egmore, Chennai as the continuance of the same would become futile."

In view of the above, this petition is allowed and the proceedings in C.C.No.1061 of 2015 on the file of the learned X Metropolitan Magistrate, Egmore, Chennai is hereby quashed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

gms
To

1. The X Metropolitan Magistrate,
Egmore, Chennai.

2. -do- Through The Chief Metropolitan Magistrate,
Egmore.

3.The Inspector of Police
W8, All Women Police Station
Thirumangalam, Chennai 101.

4.The Public Prosecutor,
High Court, Madras.

+ 2 ccs to M/s. Greeta Ramaseshan, Advocate SR.56095

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Eu 02.11.15

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