

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.Nos.25628 of 2015, 2957,4582 of 2014 and 26075 of 2015
and MP.No.1 of 2014 in CRL.OP.No.2957 of 2014,
MP.No.1 of 2014 in CRL.OP.No.4582 of 2014

1.M.G.Chakravarthi

2.Bama

Rama

.... Petitioners
in Crl.OP.25628,26075/15
... Petitioner
in Crl.OP.2957, 4582/14

Vs

1.State rep by
The Inspector of Police,
W-25, All Women Police Station,
Mambalam, Chennai-17.

2.R.Janani

R.Janani

... Respondents in Crl.OP.25628/15,2957/14
... Respondent in Crl.OP.4582/14,26075/15

Crl.OP.Nos.25628 of 2015: Criminal Original Petition filed under
Section 482 Cr.P.C., praying to call for the records pertaining
to CC.No.1119 of 2014 pending on the file of the XVII
Metropolitan Magistrate at Saidapet and quash the same.

Crl.OP.No.2957 of 2014 : Criminal Original Petition filed under
Section 482 Cr.P.C., praying to call for the records in
connection with Crime No.13 of 2013 on the file of the Inspector
of Police, W-25, AWPS, T.Nagar, Chennai and quash the same.

Crl.OP.No.4582 of 2014 & 26075 of 2015 : Criminal Original
Petition filed under Section 482 Cr.P.C., praying to call for
the records in connection with MC.No.90 of 2013 on the file of
XVIII Metropolitan Magistrate, Saidapet, Chennai and quash the
same.

For Petitioners : Ms.C.Shyaamala
in Crl.OP.25628,26075/15

For Petitioner : Mrs.Geeta Ramaseshan
in Crl.OP.2957, 4582/14

For Respondents : Mr.C.Emalias, APP [for R1]
in Crl.OP.25628/15,2957/14 : Mr.M.Kempraj[for R2]

For Respondent
in Crl.OP.4582/14,26075/15 : Mr.M.Kempraj

C O M M O N O R D E R

It is seen that, Janani [de facto complainant] got married to Chakravathi [accused] on 28.08.2008 and they have one child through the wedlock. It appears that their matrimonial life ran into rough weather and they got estranged. On the complaint lodged by Janani, the respondent police registered a case in Crime No.13 of 2013. After completing investigation, filed a final report in CC.No.1119 of 2014 against the accused under Section 498A, 323, 506[i] IPC r/w 4 of TNPWHA, challenging which, these quash applications have been filed by the accused.

2. In the meantime, Janani initiated proceedings against Chakravathi in MC.No.90 of 2013 before the learned XVIII Metropolitan Magistrate, Saidapet under the Domestic Violence Act, challenging which, Chakravathi is before this Court in Crl.OP.No.26075 of 2015. Earlier, this Court referred the quash applications to the Tamil Nadu Mediation and Conciliation Centre for the parties to appear there and workout a settlement.

3. It is seen that Janani and Chakravathi appeared before the Tamil Nadu Mediation and Conciliation Centre and they have arrived at a compromise. The terms of which, has been reduced in the Memorandum dated 20.07.2015. The Mediation Centre has sent a report enclosing the settlement arrived at between the parties. It may be relevant to extract paragraph No.12 of the Memorandum of Settlement.

"12. Ms.Janani agrees that she will cooperate with Mr.G.Chakravathi and the other persons who are parties to CC.1119 of 2014 and MC.90 of 2013 by filing necessary affidavits and by way of personal appearances before the appropriate courts including the Hon'ble High Court in quash petitions Crl.OP.2957 of 14 and Crl.OP.4582 of 2014 or any other quash petitions to be filed by Mr.G.Chakravathi and his

family members in relation to the two criminal cases CC.1119 of 2014 and MC.90 of 2013 and the same is agreed to be disposed within two weeks of registration of the settlement deed."

4. In view of the above, these petitions are allowed and the proceedings in CC.No.1119 of 2014 on the file of the learned XVII Metropolitan Magistrate, Saidapet is quashed against all the accused. Similarly, the proceedings in MC.No.90 of 2013 on the file of the learned XVIII Metropolitan Magistrate, Saidapet is quashed. Consequently, connected Miscellaneous Petitions are closed.

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-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1.The XVII Metropolitan Magistrate, Saidapet.

2.The XVIII Metropolitan Magistrate, Saidapet.

3.The Chief Metropolitan Magistrate,
Egmore, Chennai.

4.The Inspector of Police,
W-25, All Women Police Station,
Mambalam, Chennai-17.

5.The Public Prosecutor,
High Court, Madras.

+ 2 ccs to M/s.Geetha Ramaseshan, Advocate SR 59503

+ 1 cc to Mr.M.Kempraj, Advocate Sr 59879

nm(co)
prk16/11

CRL.OP.Nos.25628 of 2015, 2957,
4582 of 2014 and 26075 of 2015