

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.26033 of 2015

1.Ravikumar
2.P.Anandaraja
3.A.Tamizarasi

... Petitioners

Vs

1. State rep. by
Inspector of Police,
All Women Police Station,
Puducherry - 605 001.

2. Mahalakshmi

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., praying to call for the records in F.I.R.No.6 of 2014 on the file of 1st respondent and quash the same.

For Petitioners : Mr.R.Vivekananthan

For Respondents : Mr.M.R.Thangavelu [for R1]
Public Prosecutor [Pondicherry]
Mr.Krishnamoorthy [for R2]

ORDER

This Criminal Original Petition has been filed to quash the FIR., in Crime No.6 of 2014 on the file of first respondent Police.

2. Heard Mr.R.Vivekananthan, the learned counsel for the petitioners; Mr.M.R.Thangavelu, the learned Public Prosecutor (Pondicherry) for the first respondent and Mr.K.Krishnamoorthy for the second respondent.

3. Mahalakshmi (second respondent/de-facto complainant) got married to Ravikumar, the first petitioner herein on 28.10.2012 and thereafter their matrimonial life ran into rough weather. The spouses got estranged and on the complaint

lodged by Mahalakshmi, the respondent Police have registered a case in Crime No.6 of 2014 on 19.12.2014 under Sections 498-A, 294(b), 506(ii) IPC., r/w Section 4 of The Dowry Prohibition Act 1961 against the petitioners herein, challenging which, the petitioners are before this Court for quashing the FIR., on the ground that they have arrived at an amicable settlement.

4. Today, Mahalakshmi and the first petitioner/accused are present before this Court. Mahalakshmi is represented by her advocate Mr.K.Krishnamoorthy (Enrl. No.147/1994). She has filed an affidavit before this Court, wherein in paragraph Nos. 3,4 & 5, it is stated as follows :

"3. During the pendency of all the above said cases, that I and petitioners arrived at a compromise by amicably settling the disputes between us under the joint compromise deed dated 04.03.2015. Under the joint compromise, the 1st petitioner paid a sum of Rs.5,00,000/- (Rupees five lakhs only) to me on the date of above said joint compromise by way of Demand Draft and Cash towards full and final settlement of my Permanent Alimony in respect of the dissolution of marriage. As such, I withdrawn the MC.No.11/2013 on the file of the Chief Judicial Magistrate, Puducherry and dismissed on 09.03.2015. Further I withdrawn MC 37 of 2014 on the file of the Hon'ble Family Court, Puducherry and the same was dismissed on 11.04.2015. Like that the 1st petitioner also withdrawn his case on MOP 325 of 2013 on the file of the Family Court, Puducherry and the same was dismissed on 11.4.2015. After that I and the 1st petitioner got mutual consent divorce on 28-9-2015 in MOP No.85 of 2015 on the file of the Hon'ble Family Court, Puducherry.

4. I state that petitioners 2 and 3 are aged and 1st petitioner is taking care of them. I am also has to start new life in my own wish after disposal of the case. So, pendency of the above said criminal case would affect to the both sides family of us and the above mentioned offences are non-compoundable offences under Section 320 Cr.P.C. Hence I and the petitioners are approaching this Hon'ble Court under Section 482 Cr.P.C. to compound the offences.

5. I state that I have no objection to the quashing of the complaint in FIR No.6 of 2014 on the file of the 1st respondent herein based on the present compromise Affidavit."

5. In view of the above, this Criminal Original Petition is allowed and FIR is quashed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ds

To:

1. The Inspector of Police,
All Women Police Station,
Puducherry - 605 001.
2. The Public Prosecutor
High Court, Madras.

+1cc to Mr.R.Vivekananthan, Advocate, S.R.No.59359

Cr1.OP No.26033 of 2015

EV(CO)
CA(16/11/2015)

सत्यमेव जयते

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