

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2015

CORAM

The Hon'ble Mr. Justice P.N.Prakash

Crl.O.P.No.26821 of 2015

1. Sajjith Babu
2. Prabhakaran
3. Lakshmi

...Petitioners

vs.

1. The State, rep. by
Inspector of Police,
W-16, All Women Police Station,
Pulianthope, Chennai - 600 012.

2. Preethi

...Respondents

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code to call for records in C.C.No.2850 of 2015, on the file of X Metropolitan Magistrate Court, Egmore, Chennai.

For Petitioner : Mr.S.L.Venkatesan

For Respondent-1 : Mr.C.Emalias
Additional Public Prosecutor

For Respondent-2 : Mr.G.Pugazvendan

O R D E R

On the complaint lodged by one Preethi (second respondent/de facto complainant) the first respondent/Police has registered a case against the petitioners in Crime No.06 of 2014, and after completion of investigation, final report was filed before X Metropolitan Magistrate Court, Egmore, Chennai, which was taken cognizance by the said Magistrate and assigned C.C.No.2850 of 2015. Now, the present Criminal Original Petition is filed, seeking to quash the said prosecution case in C.C.No.2850 of 2015, on the ground that the parties (viz., the petitioners and the second respondent/de facto complainant) have arrived at an amicable settlement.

2. The de facto complainant/Preethi, is present in Court, and she is represented by a counsel, by name Mr.G.Pugazvendan.

She has also filed an affidavit, wherein, it is stated as follows:-

" 3. I preferred the complaint, which has been registered as C.C.No.2850 of 2015, on the file of X Metropolitan Magistrate Court, Egmore, Chennai. I also filed a case under the Protection of Women from Domestic Violence Act, in D.V.No.8 of 2014, against the first petitioner before the learned XIV Metropolitan Magistrate Court, Egmore, Chennai. The first petitioner has filed a divorce petition before the Principal Family Court, Chennai in O.P.No.3356 of 2014.

4. I state that due to counseling by the elders and well-wishers of both the families, we have settled out differences. It has been agreed by both parties that I will withdraw my complaint lodged before the first respondent. But as charge sheet has been filed for offences, which are non-compoundable, it is necessary that the case be quashed by this Court.

5. It has also been agreed by both the parties that I will not further contest the divorce OP filed by the first petitioner before the learned Principal Family Court, Chennai in O.P.No.3356 of 2014, and withdraw the domestic violence case in D.V.No.8 of 2014, against the first petitioner before the learned XIV Metropolitan Magistrate Court, Egmore, Chennai.

6. The first petitioner has agreed to pay Rs.7,00,000/- (Rupees Seven Lakhs only) as full and final settlement of all monetary claims past, present and future to me vide Demand Draft No.007635, dated 26.10.2015, of HDFC Bank, Teynampet Branch.

7. I am filing this affidavit before this Court to reiterate that I have no objection to quash the charge sheet filed by the first respondent in C.C.No.2850 of 2015, on the file of learned X Metropolitan Magistrate Court, Egmore, Chennai, as against all petitioners. "

3. In view of the amicable settlement arrived at between the parties, viz., the petitioners and the de facto complainant, and an affidavit to that effect is also filed by the de facto complainant, this Criminal Original Petition is allowed, and criminal proceedings initiated against the petitioners in C.C.No.2850 of 2015 on the file of X Metropolitan Magistrate Court, Egmore, Chennai, stands quashed. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

sd

To

1. The X Metropolitan Magistrate Court, Egmore, Chennai.
2. -do-Thro' The Chief Metropolitan Magistrate, Chennai 3.
3. Inspector of Police,
W-16, All Women Police Station,
Pulianthope, Chennai - 600 012.
4. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.S.L.Venkatesan, Advocate, sr.60008

+1 cc to M/s.Sudha Ramalingam, Advocate, sr.59826

Crl.O.P.No.26821 of 2015

skv co
kra 19/11/2015

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