

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2015

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Cr1.O.P.No.17053 of 2014

and

M.P.Nos.1 of 2014 & 1 of 2015

Anil Kumar

...Petitioner

Vs.

1. State of Tamil Nadu Rep by
The Sub-Inspector of Police,
Cyber Crime Wing,
CCB, Chennai.

2. Saveetha

... Respondents

PRAYER: Criminal Original Petition has been filed to call for the records in C.C.No.719 of 2013 on the file of the Learned III Metropolitan Magistrate, George Town, Chennai and quash the same.

For Petitioner : Mr.Rohit Krishna
For Respondent No.1 : Mr.C.Emalias
Addl. Public Prosecutor
For Respondent No.2 : Mr.S.Venkatesan.

O R D E R

This criminal original petition has been filed to call for the records in C.C.No.719 of 2013 on the file of the Learned III Metropolitan Magistrate, George Town, Chennai and quash the same.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

3. The first respondent police registered a case in Crime No.389 of 2012 and after completing the investigation, filed a final report for offences under Sections 509 and 506(i) I.P.C before the III Metropolitan Magistrate, George Town, Chennai, challenging which, the petitioner/accused is before this Court in this quash petition on the ground that the defacto complainant (wife) and the accused/petitioner have arrived at an amicable settlement.

4. Today, Mr.D.R.Anbarasan, Inspector, Cyber Crime Branch, Vepery, Chennai, has identified Mrs.M.Saveetha, the defacto complainant, who is present. A copy of the memorandum of compromise, that has been arrived at between the parties, has been filed before this Court wherein, it is stated as follows;

" Whereas the First Party had filed OP 2165 of 2011 for Divorce which is pending adjudication before the Hon'ble 1st Additional Family Court at Chennai. The Second Party had filed Maintenance petition in MC 159 of 2012 which is pending adjudication before the Hon'ble 1st Additional Family Court at Chennai. Meanwhile on the First Party's complaint CC 719 of 2013 has been instituted against the Second Party's complaint CC 719 of 2013 has been instituted against the Second Party which is being tried before the Learned III Metropolitan Magistrate, George Town Court at Chennai. Another criminal complaint has been filed by the First Party before the C-5, Kotwal Chawdy Police Station against the second Party. All the above cases have only increased the friction between the parties and hence both have decided to file a petition for Divorce by mutual consent in OP No.1064 of 2015 pending before the I Additional Family Court at Chennai.

Whereas both the parties have agreed that all criminal cases filed by the First Party against the Second party will be withdrawn."

5. In view of the compromise arrived at between the parties, the prosecution in C.C.No.719 of 2013 on the file of the III Metropolitan Magistrate, George Town, Chennai, is hereby quashed.

With the above, the petition is allowed. Consequently, connected miscellaneous petitions are closed.

sms

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

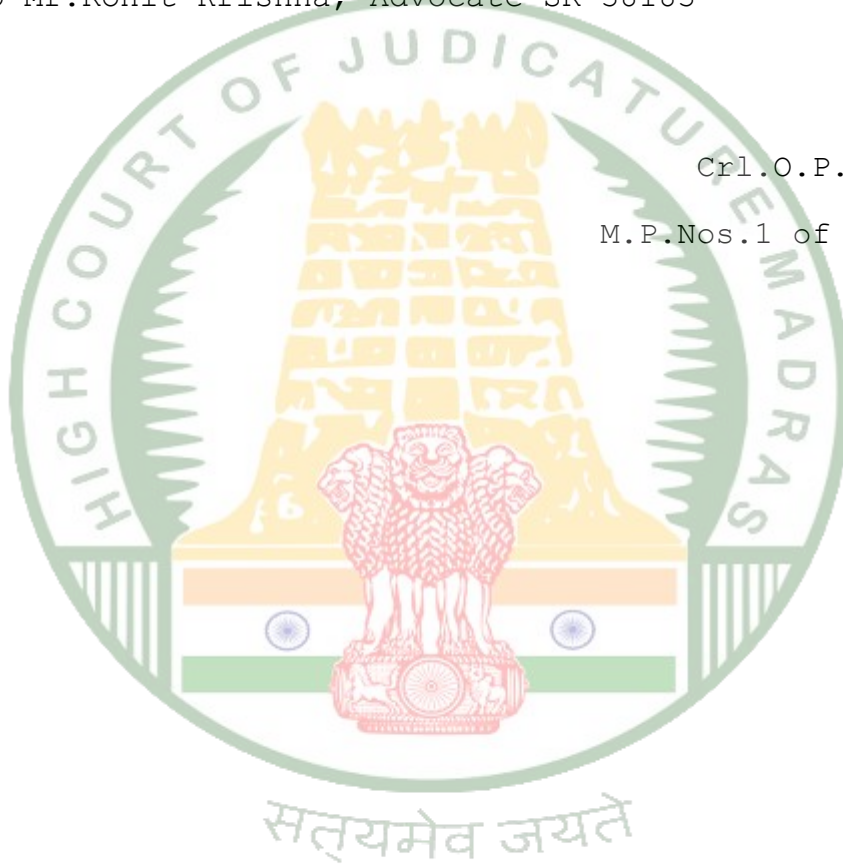
To

1. The Sub-Inspector of Police,
Cyber Crime Wing,
CCB, Chennai.
2. The Public Prosecutor,
High Court, Madras.
3. The III Metropolitan Magistrate,
George Town, Chennai.

+ 2 ccs to Mr.Rohit Krishna, Advocate SR 38183

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