

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP No.17255 of 2014
& M.P.Nos.1 and 2 of 2014

M.Ajit Boaz

.. Petitioner/1st Petitioner

Vs

1. Aarti Boaz

2. Chandrika Boaz

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in CMP.1982/2014 on the file of the learned JUDICIAL MAGISTRATE, ALANDUR, and to quash the same.

For Petitioner :Mr.P.H.Manoj Pandian
For Respondent-1 :Mr.R.Sundara Kamesh

ORDER

This is a petition to quash the proceedings initiated by the first respondent herein (wife) against the petitioner herein (husband) under the Domestic Violence Act before the learned Judicial Magistrate, Alandur in CMP No.1982/2014.

2. Today, the petitioner (husband) is present and the second respondent Mrs.Chandrika Boaz, who is the mother of the petitioner is also present. On behalf of the first respondent (wife), Mr.R.Sundara Kamesh, learned counsel is present. Both parties have filed a joint memo of compromise, in which it is stated as follows:

"Joint compromise memo filed by the petitioner and the 1st respondent

The petitioner and the 1st respondent above named submit as follows:

The petitioner has filed the above CrI.O.P seeking to quash the 1st respondent's domestic violence complaint in C.M.P.No.1982 of 2014 on the file of Judicial Magistrate Court, Alandur insofar as the petitioner is concerned. Since the dispute between the petitioner and the 1st respondent had been amicably settled by executing a Deed of Memorandum of Compromise dated 22.12.2014, the 1st respondent has no objection for quashing the domestic complaint in C.M.P.No.1982 of 2014 on the file of Judicial Magistrate Court, Alandur.

Therefore, it is prayed that this Hon'ble Court may be pleased to quash the respondent's domestic violence complaint in C.M.P.No.1982 of 2014 on the file of Judicial Magistrate Court, Alandur as against the petitioner, since the disputes between the petitioner and the 1st respondent has been amicably settled and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice."

3. In view of the above, relying upon the judgment of the Supreme Court in Jitendra Raghuvanshi vs. Babita Raghuvanshi, (2013 (4) SCC 58), the proceedings initiated against the petitioner in C.M.P.No.1982 of 2014 on the file of learned Judicial Magistrate, Alandur are quashed.

4. This Criminal Original Petition is allowed. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ajr

To

1. Judicial Magistrate, Alandur.
2. The Chief Judicial Magistrate Kancheepuram.
3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.P.H.Manoj Pandian, Advocate SR.20147
+ 1 cc to Mr.Mr.R.Sundarakamesh, Advocate SR.20284

GJ(CO)
EU 21.04.2015

Cr1.OP No.17255 of 2014