

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.18122 of 2014
and MP.No.1 of 2014

1.K.Raja
2.S.Krishnasamy
3.K.Rathina

... Petitioners

Vs

1.The Inspector of Police,
E-1, Mylapore Police Station,
Chennai-4.

2.The Inspector of Police,
E-1, All Women Police Station,
Chennai-4.

3.R.Vijayalakshmi

.... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records in CC.No.4084 of 2013 on the file of the XVIII Metropolitan Magistrate, Saidapet, Chennai and to quash the same.

For Petitioners : M/s.P.Thirupathi Raj

For Respondents : Mr.C.Emalias, Addl. Public Prosecutor
[for R1,R2]
: Mr.R.Kannan [for R3]

O R D E R

This petition has been filed to quash the proceedings in CC.No.4084 of 2013 on the file of the learned XVIII Metropolitan Magistrate, Saidapet, Chennai.

2. Heard the learned counsel for the petitioners; learned Additional Public Prosecutor appearing for the respondents 1 and 2; learned counsel appearing for the 3rd respondent and perused the materials placed on record.

3. On a complaint lodged by Vijayalakshmi, the respondent police registered a case in Crime No.64 of 2011 for offences under Section 498A and Section 4 of TNPHW Act read with Section 4 of DP Act against the accused herein. After completing the investigation, the respondent police filed a Final Report in C.C.No.4084 of 2013 before the learned XVIII Metropolitan Magistrate, Saidapet.

4. Now, it appears that the parties have arrived at an amicable settlement and a copy of the settlement has also been filed with the typed set of papers. Vijayalakshmi the defacto complainant is present before this Court and she has filed an affidavit, wherein, in paragraph No.4 to 6, it is stated as follows:

"4. At this juncture by intervention of well wishers of the both families we have arrived into settle the issues among ourselves and entered into a compromise memo on 05.05.2015 and have decided to give a quietus to the litigations as mistake of facts and settle in their lives for good separately as they like in the future.

5. As per the terms of the memo of compromise dated 05.05.2015 both the parties i.e. 1st petitioner herein and have decided not to press our respective police complaints in Crime No.279 of 2011 and Crime No.64 of 2011 and withdraw the same and have no objection to allow the above petition as well as the petition in Crl.OP.No.14408 of 2014 filed against CC.No.3147 of 2013 pending before this Hon'ble Court. Since the very object of the judicial proceedings is to bring peace in family dispute amicably irrespective of facts and allegations and to maintain the law and order among the public, it could also be achieved by way of compromise especially in matrimonial disputes.

6. It is therefore prayed this Hon'ble court may be pleased to allow the above petition as per the terms of the memo of compromise dated 05.05.2015 entered into between the 3rd respondent/defacto complainant and 1st petitioner herein and pass such further or other order as this Hon'ble Court may deem fit and proper in circumstance of the case and render justice."

Vijayalakshmi has been identified by Ms.S.Valarmathi, Sub Inspector of Police, E-1 Police Station [Law and Order], Mylapore.

5. In view of the above, the proceedings in C.C.No.4084 of 2013 is hereby quashed and the petition is ordered accordingly. Consequently, connected Miscellaneous Petition is closed.

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Sd/-
Deputy Registrar (Judicial)

/true copy/

Sub Asst. Registrar

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To

1. The XVIII Metropolitan Magistrate
Saidapet, Chennai

2. do thro the Chief Metropolitan Magistrate
Chennai

3.The Inspector of Police,
E-1, Mylapore Police Station,
Chennai-4.

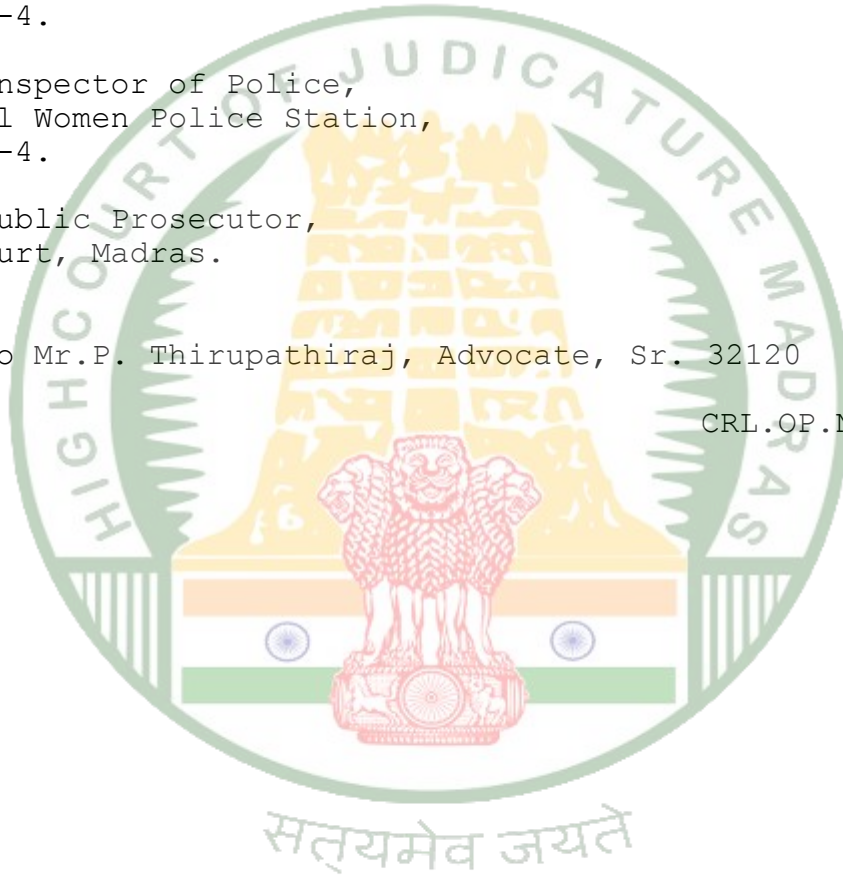
4.The Inspector of Police,
E-1, All Women Police Station,
Chennai-4.

5.The Public Prosecutor,
High Court, Madras.

6 ccs to Mr.P. Thirupathiraj, Advocate, Sr. 32120

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