

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2015

CORAM

The Hon'ble Mr. Justice R.S.Ramanathan

Cr1.O.P.No.3505 of 2015

and

M.P.No.1 of 2015

1. T.Mahakrishnan
2. M.Thangam
3. Padmavathi

...Petitioners

vs.

- 1 The Inspector of Police,
W-32, All Women Police Station,
Madipakkam, Chennai.
[Cr.No.20 of 2013]

2. V.Nithila

...Respondents

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code to call for records and to quash all further proceedings in Cr.No.20 of 2013, pending investigation on the file of the respondent.

For Petitioner : Mr.R.Ganesh Kumar

For Respondent-1 : Mr.M.Maharaja
Additional Public Prosecutor

सत्यमेव जयते
O R D E R

This Petition is filed to quash the First Information Report, registered in Cr.No.20 of 2013, on the file of the first respondent.

2. It is submitted by the learned counsel appearing for petitioners that the first petitioner is the husband of the second respondent, the second and third petitioners are parents of the first petitioner. The second respondent gave complaint against the petitioners in Cr.No.20 of 2013, on the file of the first respondent, and on the basis of the said complaint, case was registered against the petitioners for offence under Sections 498 (A) and 506(ii) IPC. Now, the parties entered into a compromise. As per the memo of compromise, the second respondent herein agreed to withdraw the

complaint given against the petitioners in the aforesaid Crime Number. It is also admitted that F.C.O.P.No.4693 of 2014, was filed by the second respondent for divorce on the ground of desertion and the parties also agreed to file memorandum of compromise in F.C.O.P.No.4693 of 2014, on the file of the Family Court, Chennai. The learned counsel, therefore, submitted that the case registered against the petitioners in Cr.No.20 of 2013, on the file of the first respondent-Police may be quashed.

3. The second respondent, wife of the first petitioner is present in Court, and she admitted the execution of memorandum of compromise and she is also represented by her counsel, and the counsel also submitted that the parties have entered into memo of compromise, as they have realised that the marriage between the first petitioner and the second respondent has irretrievably broken. The second respondent admitted that the first petitioner has executed a release deed and she also paid Rs.6,25,000/- as per the memo of compromise.

4. Heard the learned Additional Public Prosecutor, representing the first respondent-Police.

5. Considering the fact that the first petitioner is the husband of the second respondent, and the second respondent has given complaint against the first petitioner and his parents/petitioners 2 and 3 for offence under Sections 498 (A) and 506(ii) IPC, and now the parties have entered into compromise, and the second respondent has also filed F.C.O.P.No.4693 of 2014, before the Family Court, Chennai, for divorce on the ground of desertion and the parties also agreed to dissolve the marriage, this Criminal Original Petition is allowed, the FIR registered against the petitioners in Cr.No.20 of 2013, is quashed.

Sd/-

Asst. Registrar

/true copy/

Sub Asst. Registrar.

sd

To

1. The Inspector of Police,
W-32, All Women Police Station,
Madipakkam, Chennai.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mrs.Sudha Ramalingam, Advocate SR.No.8539

+1cc to Mr.R.Ganesh Kumar, Advocate SR.No.8143

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