

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2015

CORAM

THE HON'BLE MR. JUSTICE R.S.RAMANATHAN

Crl.O.P.No.4129 of 2015

and

M.P.Nos1 and 2 of 2015

1. D.Selvam
2. Dhanapal
3. D.Neela

...Petitioners/Accused 1 to 3.

vs.

1. The State, rep. by  
Inspector of Police,  
W8, Thirumangalam All Women Police Station,  
Anna Nagar West Extension,  
Chennai - 600 101.
2. Mrs.S.N.Aruna @ Ezhilarasi ...Respondents/Complainant and  
Defacto Complainant.

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for records in C.C.No.5861 of 2007, on the file of the Chief Metropolitan Magistrate, Egmore, Chennai and to quash the proceedings therein against the petitioners.

For Petitioners : Mr.S.P.Meenakshi Sundaram

For Respondent-1: Mr.M.Maharaja

Additional Public Prosecutor

For Respondent-2: Mr.C.Kathiravan

सत्यमेव जयते  
O R D E R

This Petition is filed to quash the proceedings in C.C.No.5861 of 2007 on the file of Chief Metropolitan Magistrate, Egmore, Chennai.

2. The aforesaid case was registered against the petitioners on the basis of the complaint given by the wife of the first petitioner, viz., the second respondent herein for offence under Section 498 A IPC and Section 4 of Dowry Prohibition Act. After investigation, chargesheet was filed against the petitioners. Now, the second respondent/de facto complainant, filed an affidavit, stating that her marriage with the first petitioner was dissolved by order, dated 18.06.2008, made in H.M.O.P.No.96 of 2008, on the file

of the Family Court, Puducherry, and she has also married another person and got back all the sridhana articles and settled the matter with the petitioners. She has further stated in the affidavit that chargesheet filed against the petitioners may be quashed. She has also admitted the affidavit filed by her and she is also identified by her counsel.

3. Heard both sides.

4. As the de facto complainant/second respondent appeared before the Court and admitted that she does not want to proceed with the case against the petitioners, and considering the fact the marriage between the first petitioner and the de facto complainant also got dissolved and she has also got back all her sridhana articles, this Criminal Original Petition is allowed and the proceedings initiated by the de facto complainant against the petitioners in C.C.No.5861 of 2007, are quashed. Consequently, connected M.Ps are closed.

sd

-s/d-

Assistant Registrar (CS-II)

Dt:30/3/2015

True Copy

Sub-Assistant Registrar

To

1. The Chief Metropolitan Magistrate,  
Egmore, Chennai
2. The Inspector of Police,  
W8, Thirumangalam All Women Police Station,  
Anna Nagar West Extension,  
Chennai - 600 101.
3. The Public Prosecutor,  
High Court, Madras.

+ 1 cc to Mr.S.P.Meenakshi Sundaram, Advocate SR 13462

rsy(co)  
prk31/3

CrI.O.P.No.4129 of 2015