

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE R.S.RAMANATHAN

Cr1.O.P.No.5535 of 2015

1.T.G.Ram Mohan  
2.Santha Kumari  
3.Jyothi Bala  
4.Vetrivel Kumaran  
5.G.Siva Kumar

....Petitioners/Accused 1 to 5

Vs

1.State rep. by  
The Inspector of Police  
W-4, All Women Police Station,  
Kilpauk, Chennai 600 010.

.... Respondent/Complainant

2.V.Anbarasi

....2nd Respondent/De-facto  
complainant

Prayer :- Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records and quash the proceedings as against the petitioners pending on the file of the Chief Metropolitan Magistrate, Egmore, Chennai in C.C.No.4170 of 2013 for offences under Sections 498(A), 323, 406, 506(i) of IPC and Section 4 of Dowry Prohibition Act.

For Petitioner : Mrs.Rita Chandrasekaran  
for M/s. Aiyar and Dolia

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

For Respondent-2 : Ms. A.Arulmozhi

WEB COPY  
O R D E R

The petitioners have come with the present petition seeking to call for the records and quash the proceedings as against the petitioners pending on the file of the Chief Metropolitan Magistrate, Egmore, Chennai in C.C.No.4170 of 2013.

2.The petitioners are accused in C.C.No.4176 of 2013. The case has been registered in Crime No.6 of 2012 on the complaint given by one Anbarasi for offences under Sections 498(A), 323, 406, 506(i) of IPC and Section 4 of Dowry Prohibition Act. The first petitioner is husband, second petitioner is the mother of the first petitioner, this petitioner is the sister and 4 and 5th petitioners are the brothers-in-law. The first petitioner also filed O.P.No.2457 of 2013 for divorce on the ground of desertion.

3. The second respondent represented by counsel and the second respondent is also filed a counter affidavit stating that the matter has been settled in the mediation held by the family members and she received Rs.40 lakhs towards all her monetary claims including maintenance and permanent alimony in Demand Draft No.002357, dated 24.02.2015 drawn on I.C.I.C.I. Bank. Learned counsel also submitted that her evidence was recorded in O.P.No.2357 of 2013 on 09.03.2015 and the case is posted for orders.

4. Learned counsel for the second respondent submitted that the second respondent has no objection for quashing the case as the matter is settled and the second respondent has gone to Australia and therefore, she has not present today before this Court. The affidavit sworn by the second respondent is filed.

5. Considering the submissions by the learned counsel for the second respondent and the affidavit filed, as the matter has been compromised between the parties and being matrimonial matter and the second respondent received rupees fourty Lakhs in full quit of all her claims, no useful purpose will be solved of holding the case. Hence, this Criminal Original Petition is allowed and the proceedings pending on the file of the Chief Metropolitan Magistrate, Egmore, Chennai in C.C.No.4170 of 2013 is hereby quashed. Consequently, connected miscellaneous petition is closed.

smi

-s/d-

Assistant Registrar(CS-II)

Dt:26/3/2015

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police  
W-4, All Women Police Station,  
Kilpauk, Chennai 600 010.

2. The Chief Metropolitan Magistrate, Egmore, Chennai

3. The Public Prosecutor, High Court, Madras.

+ 1 cc to M/s.Aiyar & Dolia, Advocate SR 14886

ku(co)  
prk26/3

CrI.O.P.No.5535 of 2015



WEB COPY