

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.Nos.5601, 6414 & 10997 of 2015
and

M.P.Nos.1 of 2015 in Crl.O.P.No.5601 & 10997 of 2015
and

M.P.No.2 of 2015 in Crl.O.P.No.6414 of 2015

Crl.O.P.Nos.5601 & 6414 of 2015

1.Ramaswami Santhanam

2.Sathyabama Santhanam Petitioners in
Crl.OP.No.5601/15

1. Prasanna SanthanamPetitioner in
Crl.OP.6414/15

Vs

2.The Protection Officer,
Singaravelar Maligai,
Office of the Social Welfare Board,
Chennai-600 001.

2.Preeti Sampat,
8/10, Umapathy Street Extn,
West Mambalam, Chennai-600 033. Respondents in both
the Crl.OP.5601 & 6414/15

Crl.O.P.No.10997 of 2015:-

1.Mr.Prasanna Santhanam
2.Tmt.Sathyabama
3.Mr.R.Santhanam Petitioners

Vs.

1.State by,
Inspector of Police,
W26 All Women Police Station,
Ashok Nagar,
Chennai-53.

2.Mrs.Preeti Sampat Respondents

Crl.O.P.Nos.5601 & 6414 of 2015:- Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to M.C.No.117 of 2014 pending on the file of the learned XVII Metropolitan Magistrate, Saidapet and to quash the proceedings.

Crl.O.P.No.10997 of 2015:- Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records pertaining to the case pending investigation in Crime No.13 of 2014 on the file of the respondent-Police and to quash the same.

Appearance for the parties:-

Mr.Geeta Ramaseshan for petitioner in Crl.O.P.5601 & 6414 of 2015

Mr.C.P.Palanichamy (For petitioner in Crl.O.P.10997/2015)

Mr.Krishna Raveendran (For R1 in Crl.O.P.5601 & 6414 of 2015)

Mr.K.P.Sanjeev Kumar (For R2 in Crl.O.P.5601&10997/2015) 6414/15

Mr.C.Emalias, APP (For R1 in Crl.O.P.10997/2015)

COMMON ORDER

The 2nd respondent in all the above petition viz., Mrs.Preeti Sampat (defacto-complainant) is the wife of the petitioner Mr.Prasanna Santhanam (A1). She lodged a complaint as against her husband (A1), father-in-law (A2) and mother-in-law (A3), before the Inspector of Police, W26 All Women Police Station, Ashok Nagar and on the basis of the said complaint, a case in Crime No.13 of 2014 has been registered under Sections 498A & 354(D) IPC. Hence, the accused persons filed Crl.O.P.No.10997 of 2015 seeking to quash the first information report in Crime No.13 of 2014.

2.That apart, the 2nd respondent/defacto-complainant has also filed a complaint under the Protection of Women from Domestic Violence Act before the Protection Officer against the accused 1 to 3 on 27.11.2014 and the same is now pending in M.C.No.117 of 2014 on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai. Hence, Crl.O.P.No.5601 of 2015 has been filed by the accused 2 & 3 and Crl.O.P.No.6414 of 2015 has been filed by the 1st accused, praying to quash the proceedings in the said M.C.No.117 of 2014.

3.Today, when the matter is taken up for consideration, the parties appeared before this Court and informed that after intervention of elders and well-wishers, the matter has been amicably settled between them and they also entered into a

compromise deed on 22.11.2015. Pursuant to the compromise, the 1st accused/husband and the defacto-complainant have filed mutual consent petition under Section 13-B of the Hindu Marriage Act and the same is now pending before the Family Court at Chennai. Hence, the defacto-complainant has no objection to quash the criminal proceedings in the above said case viz., Crime No.13 of 2014 pending on the file of the All Women Police Station, Ashok Nagar and M.C.No.117 of 2014 pending on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai.

4.Considering the facts and circumstances and considering the compromise deed entered into between the defacto-complainant and the 1st accused/husband and the consent affidavits filed by the defacto-complainant, I am of the opinion that the criminal proceedings in Crime No.13 of 2014 pending on the file of the All Women Police Station, Ashok Nagar and M.C.No.117 of 2014 pending on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai, are liable to be quashed and accordingly, quashed in respect of all the accused.

In fine, the criminal original petitions are allowed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ssv

To

1. The XVII Metropolitan Magistrate,
Saidapet, Chennai.
2. -do- Through The Chief Metropolitan Magistrate,
Egmore, Chennai.
3. The Inspector of Police,
W26 All Women Police Station,
Ashok Nagar, Chennai-53.
- 4.The Protection Officer,
Singaravelar Maligai,
Office of the Social Welfare Board,
Chennai-600 001.
- 5.The Public Prosecutor, High Court, Madras.

+ 3 ccs to Mr.Geetha Ramaseshan, Advocate Sr.64335

Cr1.O.P.Nos.5601, 6414 &
10997 of 2015

SKV(CO)
Eu 10.12.15