

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2015

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

CrI.O.P.No.1136 of 2013
and
M.P.No.1 of 2013

1.Ramachandra Reddy
2.Chennamma
3.Manda Ramaratna Reddy
4.Ramakrishna Reddy
5.Vallam Vijaya
6.Aruna Kumari ... Petitioners

Vs.

1.The State of Tamil Nadu rep. by
Inspector of Police,
W-1, All Women Police Station, .. Complainant
Thousand Lights, Chennai-6.
2.Praneetha ... Respondents/Defecto
Complainant

Prayer: Petition filed under Section 482 of Cr.P.C., praying to call for the records in respect of C.C.No.19 of 2012 on the file of the Chief Metropolitan Magistrate Court, Egmore, Chennai and to quash the same.

For Petitioners : M/s.Selvi George

For Respondents : Mr.C.Emalias, APP (For R1)
M/s.Sudha Ramalingam (For R2)

ORDER

This petition has been filed by the petitioner praying to quash the proceedings in C.C.No.19 of 2012 pending on the file of the learned Chief Metropolitan Magistrate, Egmore, Chennai.

2.The petitioners herein have been arrayed as accused in the said case. The 2nd respondent herein is the defacto-complainant. The 1st petitioner is the husband and the 2nd petitioner is the mother-in-law, 3rd petitioner is the father-in-law and 4th petitioner is the brother-in-law and petitioners

5 & 6 are the sister-in-law of the defacto-complainant. The 2nd respondent has lodged a complaint as against the petitioners herein for the alleged offences under Section 498 (A), 420, 406, 465, 468, 471, 506(i) IPC & Section 4 of DP Act. After completion of investigation, the 1st respondent-Police has lodged the final report and the same has been taken on file as C.C.No.19 of 2012 on the file of the learned Chief Metropolitan Magistrate, Egmore, Chennai.

3.Now, the petitioners have come forward with the present petition seeking to quash the criminal proceedings.

4.Today, when the matter is taken up for consideration, the learned counsel for the petitioners as well as the learned counsel for the 2nd respondent/defacto-complainant submitted that the matter has been amicably settled between the parties. The 2nd respondent/defacto-complainant has also filed an consent affidavit stating that the marriage between the 1st petitioner and the defacto-complainant has been declared as null and void by order of the learned III Additional Principal Judge, Family Court at Chennai, vide order dated 05.12.2015 in O.P.No.1870 of 2011; that the defacto-complainant has received a sum of Rs.45 lakhs from the petitioners by way of Demand Defrafts and she has no other claim from the petitioners; that she has no objection to quash the criminal proceedings. The consent affidavit filed by the 2nd respondent/defacto-complainant is recorded.

5.Heard both sides and and perused the materials available on record.

6.Considering the facts and circumstances of the case and in view of the compromise arrived at between the parties, I am of the opinion that the criminal proceeding in C.C.No.19 of 2012 on the file of the learned Chief Metropolitan Magistrate, Egmore, Chennai , is liable to be quashed and accordingly, the same is quashed. The consent affidavit filed by the 2nd respondent/defacto-complainant shall form part of the order.

In fine, the criminal original petition is allowed. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To,

1.The Chief Metropolitan Magistrate,
Egmore, Chennai.

2.The Inspector of Police,
W-1, All Women Police Station,
Thousand Lights, Chennai-6.

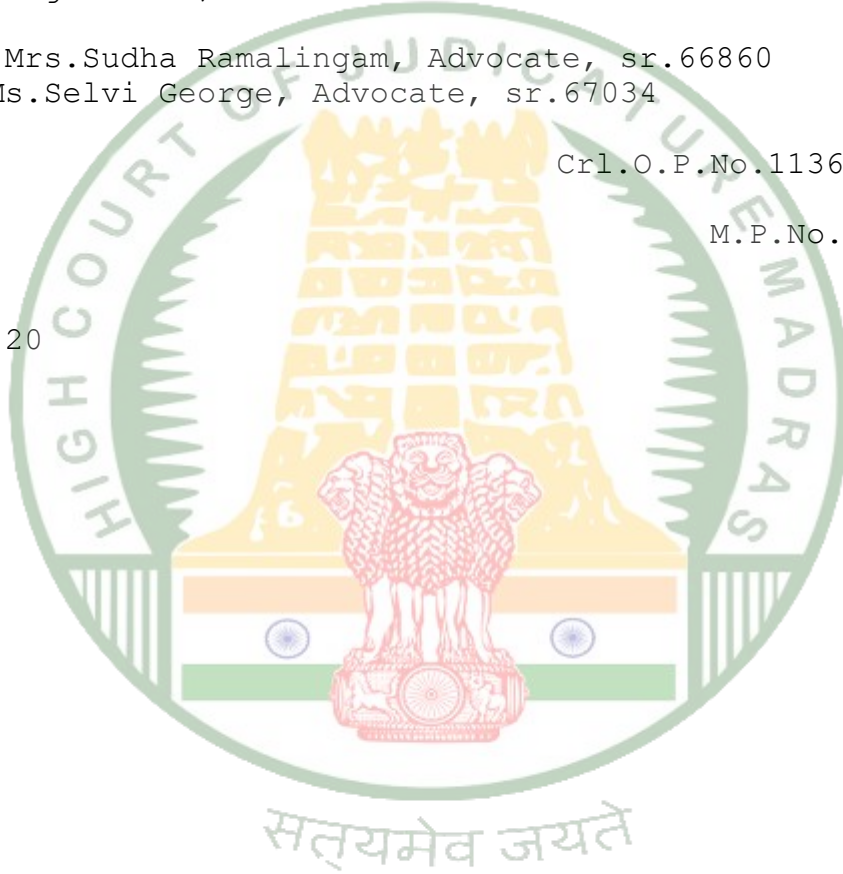
3.The Public Prosecutor,
Madras High Court, Madras.

+2 ccs to Mrs.Sudha Ramalingam, Advocate, sr.66860

+1 cc to Ms.Selvi George, Advocate, sr.67034

Cr1.O.P.No.1136 of 2013
and
M.P.No.1 of 2013

jsv co
kra 27.01.20



WEB COPY