

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.08.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No. 3142 of 2013
and M.P.Nos.1 & 2 of 2013

1.A.Bhubesh Kumar
2.Ilavarasi
3.Udhaya Shankar
4.Sekar
5.Kanchana
6.Sujatha
7.Abirami
8.Gopal
9.Moganaambaal

.. Petitioners

Vs

1.The Inspector of Police,
W-20, All Women Police Station
Saidapet, Chennai.

2.R.Sujatha .. Respondents

Prayer :- Criminal Original Petition is filed under Section 482 Cr.P.C., praying to quash the C.C.No.4182 of 2012 on the file of IX Metropolitan Magistrate, Saidapet, Chennai.

For Petitioners :Mr.Adi Narayana Rao

For Respondents :Mr.C.Emalias [for R1]
Additional Public Prosecutor
Ms.Vanathi Srinivasan [for R2]

ORDER

This Criminal Original Petition has been filed praying to quash the C.C.No.4182 of 2012 on the file of IX Metropolitan Magistrate, Saidapet, Chennai.

2. Heard the learned counsel for the petitioners and Mr.C.Emalias, the learned counsel appearing for the first respondent and Ms.Vanathi Srinivasan for the second respondent.

3. On a complaint lodged by Sujatha, the respondent Police have registered a case in Crime No.W-20- PS Cr.No.02/2012 and after completing the investigation, filed final report in C.C.No.4182 of 2012 before the IX Metropolitan Magistrate, Saidapet, Chennai,

against nine accused, who are the petitioners before this Court for the offences under Sections 498(A), 294(b), 406, 506(ii) IPC r/w 34 IPC. It appears that in the meantime, the parties have arrived at an amicable settlement and that divorce by mutual consent was also filed before the Principal Family Court in HMOP.No.4670 of 2014.

4.Today, Mrs.Sujatha, the defacto-complainant is present. She has filed an affidavit, wherein she has stated as follows :

'4. I submit that since the matter is amicably settled, I am not interested in proceeding with the case in C.C.No.4182/2012 on the file of IX Metropolitan Magistrate Court at Saidapet.

5. I submit that the above proceedings before this Hon'ble Court is only a waste of time and abuse of process of law as the matter is compromised and settled between myself and petitioners. I submit that I have no objection to allow the above petition and to quash the proceedings in Crime No.02/2012, now in C.C.No.4182/2012 on the file of IX Metropolitan Magistrate Court at Saidapet.

6.It is therefore prayed that this Hon'ble Court may be pleased to allow the above Crl.O.P.No.3142 of 2013 and quash the proceeding in C.C.No.4182 of 2012 on the file of IX Metropolitan Magistrate Court at Saidapet and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstance of the case and thus render justice.."

5.In view of the above, this Criminal Original Petition is allowed and the prosecution is quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

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To

1.The IX Metropolitan Magistrate, Saidapet, Chennai.

2.-do- Thro'The Chief Metropolitan Magistrate, Egmore, Chennai -8.

3.The Inspector of Police,
W-20, All Women Police Station
Saidapet, Chennai.

4. The Public Prosecutor,
High Court, Madras.

1 cc to Mr.Adi Narayana Rao, Advocate Sr.No.42910

Cr1.OP No.3142 of 2013

MP(CO)
PMK.28.8.2015



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