

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2015

CORAM

The Hon'ble Mr. Justice R.S.Ramanathan

Crl.O.P.No.7324 of 2015

1.V.Karthick

2.V.Mani

3.Mrs.Munigantha

...Petitioners/ Accused 1 to 3
vs.

1.The State Rep by

Inspector of Police,

W-28, All Women Police Station,

Ambattur, Tiruvallor District.

(Crime No.19/2012)

2.A.Latha

...Respondents/ Complainant &
Defacto Complainant

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for the records in C.C.No.294 of 2014 pending on the file of Judicial Magistrate, Ambattur, Thiruvallor District and quash the same.

For Petitioners : Mr.R.Ravindran

For Respondents : Mr.B.Thirumalai for R2

Mr.M.Maharaja

Additional Public Prosecutor for R1

सत्यमेव जयते
O R D E R

The petitioners are charge sheeted for offences under Sections 498(A) and 506(ii) IPC in C.C.No.294 of 2014 on the file of the learned Judicial Magistrate, Ambattur, on the complaint given by the second respondent/complainant.

2. It is submitted by the learned counsel for the petitioners as well as the learned counsel for the second respondent that the matter was settled between the parties and the marriage between the first petitioner and the second respondent was dissolved by a decree of mutual consent in F.C.O.P.No.14 of 2014 and as per the settlement arrived at between the parties, the second respondent received a sum of Rs.1,00,000/- in full quit.

3. The second respondent is present before this Court and she admitted the filing of the affidavit and further admitted that the marriage between herself and the first petitioner was dissolved by a decree of mutual consent in F.C.O.P.No.14 of 2014 on the file of the First Additional Family Court, Chennai and she also admitted the receipt of Rs.1,00,000/- in full quit and does not want prosecute the case. The identity of the second respondent is also verified through her PAN Card No.AFHPL3162L.

4. Heard the learned Additional Public Prosecutor appearing for the first respondent and he has no objection in allowing the petition.

5. As the second respondent/complainant has settled the matter with the first petitioner and considering that the offence alleged is under Section 498(A) IPC and that the marriage between the first petitioner and the second respondent was dissolved by a decree of mutual consent and the second respondent also received a sum of Rs.1,00,000/- in full quit, this Criminal Original Petition is allowed and the proceedings in C.C.No.294 of 2014 on the file of the Judicial Magistrate, Ambattur, Thiruvallor District is quashed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

jvm

To

1.The Inspector of Police,
W-28, All Women Police Station,
Ambattur, Tiruvallor District.

2.Judicial Magistrate, Ambattur, Thiruvallor District.

3. The Public Prosecutor
High Court, Madras

1 cc to Mr.R. Ravindran, Advocate, Sr. 18051

1 cc to Mr.B. Thirumalai, Advocate, Sr. 17769

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SR (CO)
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