

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.11283 of 2016

1.S.Imran Sheriff
2.Sardar Basha
3.Syedunissa
4.Shahin Farjana

...Petitioners

Vs.

1.The State Rep. by
The Inspector of Police,
W-18, All Women Police Station,
M.K.B. Nagar, Chennai – 39.
(Crime No.01 of 2015)

2.S.Shabana

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C.,
praying to quash the First Information Report in Cr.No.01 of 2015, pending
before the X Metropolitan Magistrate Court, Egmore, Chennai.

For Petitioners : Mr.A.S.K.Sha
For Respondent [R1] : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed praying to quash
the FIR in Crime No.01 of 2015 pending before the learned X Metropolitan
Magistrate, Egmore, Chennai.

2. Heard the learned counsel on both sides.

3. On a complaint lodged by Shabana, the defacto-complainant/second respondent, the first respondent Police registered a case in Crime No.01 of 2015 on 01.06.2015, for the offences under Sections 498(A), 406 and 506(ii) IPC., against the petitioners herein.

4. Now, it appears that parties have amicably arrived at a settlement. Today, Ms.S.Shabana, the defacto-complainant and Mr.S.Imran Sheriff are present before this Court and they are identified by Ms.Nagomi, Grade-I Police, W18-All Women Police Station, M.K.B. Nagar, Chennai-600 039 (Mobile No.9498128352). A Memo of Compromise has been filed, wherein in paragraph No.1 & 2, it has been stated as follows :

"1. It is submitted that the petitioners are charged under Section 498(A), 406 and 506(ii) of IPC in Crime No.01 of 2015. The allegation of the prosecution case is that the the petitioners and the defacto complainant are husband and wife. On 23.05.2015, little clash between both parties due to cruelty and dowry harassment. Immediately F.I.R. was registered against the petitioners and a final report will be ready to file and the same was committal before X Metropolitan Magistrate Court, Egmore.

2. It is submitted that since the petitioners and the defacto complainant are residing same and

both are compromised each other. The petitioner and defacto complainant ready to live separate matrimonial house. The petitioners made an apology for their sin act. The defacto complainant forgot the incident and she proposed to withdraw his complaint and the defacto complainant is not willing to prosecute the petitioner further.”

5. In view of the above, the prosecution against the petitioners in Crime No.01 of 2015 is hereby quashed. Accordingly, the Criminal Original Petition is allowed.

14.06.2016

ds

To:

- 1.The Inspector of Police,
W-18, All Women Police Station,
M.K.B. Nagar, Chennai – 39.
- 2.The Public Prosecutor
High Court, Chennai.

P.N.PRAKASH,J

ds

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