

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2016

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Cr1.O.P.No.15596 of 2015
and
M.P.No.1 of 2015

Manimaran ... Petitioner (Accused)

Vs.

1. The Union Territory of Puducherry
rep. by The Inspector of Police,
All Women Police Station,
Villianur, Puducherry.
(Cr.No.15 of 2012). ... 1st Respondent/Dejure
Complainant
2. Lakshmi ... Respondent/Defacto
Complainant

Prayer: Petition filed under Section 482 of Cr.P.C., praying to call for the records relating to the impugned Charge Sheet/Final Report No.23 of 2012 dated 31.12.2012 on the file of the 1st respondent namely The Inspector of Police, All Women Police Station, Villianur, Puducherry, pending on the file of the learned Judicial Magistrate No.II, Puducherry in P.R.C.No.25 of 2013 and to quash the same as highly illegal, unlawful and abusive of process of law.

For Petitioner : Mr.Prakash Adiapadam

For Respondents : Mr.V.Balamurugan, APP (P) (For R1)
Mrs.A.Vasanthi (For R2)

ORDER

This petition has been filed by the petitioner praying to quash the charge sheet/final report in P.R.C.No.25 of 2013 pending on the file of the learned Judicial Magistrate No.II, Puducherry. The petitioner herein is the accused in the said case.

2.The 2nd respondent herein/defacto-complainant lodge a complaint against the petitioner on 13.04.2012 alleging that

by giving false promise to marry her, the petitioner herein had intercourse with her; thereafter, when the 2nd respondent requested the petitioner to marry her, he refused to marry her and threatened with dire consequences. On the basis of the complaint lodged by the 2nd respondent, a case in Crime No.15 of 2012 was registered by the 1st respondent-Police for the alleged offences under Sections 376, 417, 420 & 506(i) IPC. On completion of investigation, chargesheet was filed by the learned Judicial Magistrate No.II, Puducherry, in P.R.C.No.25 of 2013. Now, the petitioner has come forward with the present petition seeking to quash the criminal proceedings.

3.Today, when the matter is taken up for consideration, the petitioner and the 2nd respondent/defacto-complainant are present before this Court and the Investigating Officer, who is present before this Court, identified the 2nd respondent/defacto-complainant. It is represented by both sides that the matter has been amicably settled between them and that the marriage between the petitioner and the 2nd respondent/defacto-complainant was solemnized on 15.05.2013 and now they are living together. A memo of compromise has been filed before this Court, which was signed by both the petitioner and the 2nd respondent/defacto-complainant, stating that the matter has been amicably settled and the 2nd respondent/defacto-complainant has no objection to quash the impugned criminal proceedings. Memo of compromise filed by the 2nd respondent/defacto-complainant is recorded.

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

5.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 proceedings in P.R.C.No.25 of 2013 on the file of the learned Judicial Magistrate No.II, Puducherry, is liable to be quashed and accordingly, the same is quashed. The memo of compromise filed by the parties shall form part of the order.

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

(Xerox Copy of Memo of Compromise
is enclosed herewith)

Sd/-
Assistant Registrar(CCC)

//True Copy//

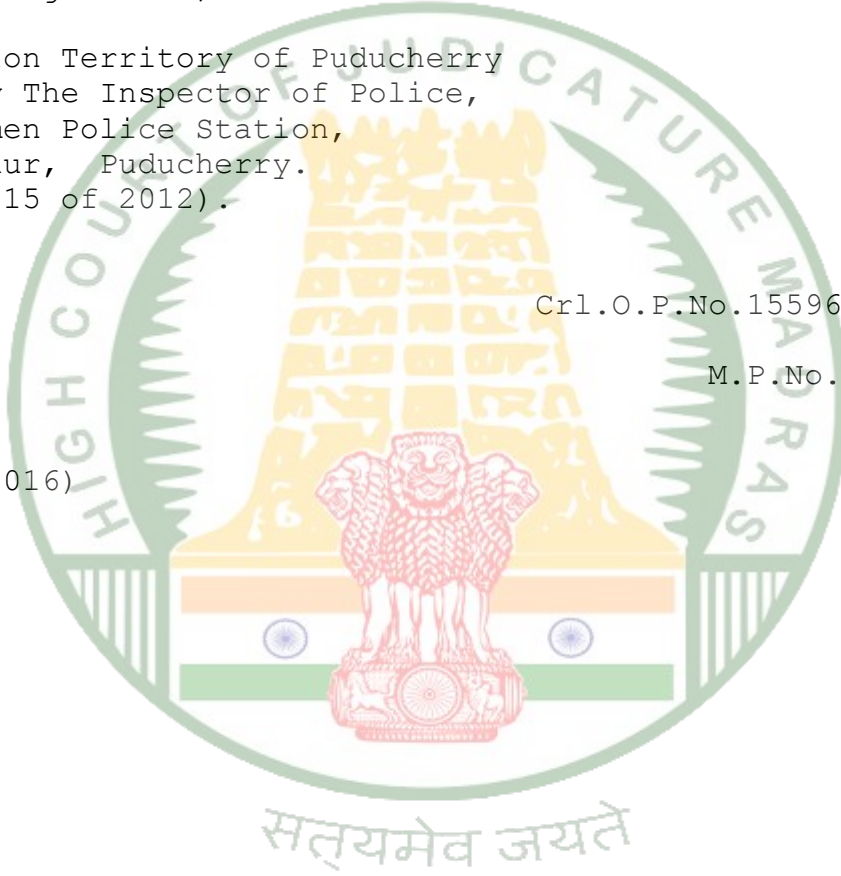
Sub Assistant Registrar

To

1. The Judicial Magistrate No.II,
Puducherry.
2. The Inspector of Police,
All Women Police Station,
Villianur, Puducherry.
3. The Public Prosecutor,
Madras High Court, Madras.
4. The Union Territory of Puducherry
rep. by The Inspector of Police,
All Women Police Station,
Villianur, Puducherry.
(Cr.No.15 of 2012).

CrI.O.P.No.15596 of 2015
and
M.P.No.1 of 2015

SNS (CO)
CA(18/02/2016)



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