

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.14945 of 2016

R.Kishore Kumar

..Petitioner

Vs

1.State rep by
The Inspector of Police
W-32, All Women Police Station
Madipakkam
Chennai 600 091.

2.K.Veenadevi ... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in C.C.No.356 of 2015 on the file of Judicial Magistrate Court, Alandur and quash the charge sheet.

For Petitioner : Mr.M.Palani

For R1 : Mr.C.Emalias,
Addl.Public Prosecutor

O R D E R

This petition has been filed to call for the records in C.C.No.356 of 2015 on the file of Judicial Magistrate Court, Alandur and quash the charge sheet.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. On the complaint lodged by Veenadevi, the respondent police registered a case in Cr.No.25 of 2014 and after completing the investigation has filed a Final Report in C.C.No.356 of 2015 before the Judicial Magistrate, Alandur for an offence u/s 498-A IPC against R.Kishore Kumar [A1], challenging which this quash application has been filed on the ground that the parties have arrived at an amicable settlement.

4. Today Ms.S.Akila, Sub Inspector of Police, All Women Police Station, Madipakkam is present. Kishore Kumar and Veenadevi are also present. They are represented by their Advocate who has identified them. Veenadevi has filed an affidavit, wherein, it is stated as follows:

"4. I state that since the intervening of the relatives and well wishers the petitioner and I agreed to settle the matters amicably, accordingly, I have no grievance or objection in allowing the above petition filed by the petitioner herein for quashing the charge sheet in C.C.No.356 of 2015 on the file of Judicial Magistrate, Alandur.

5. I state that I agree to receive a sum of Rs.10,00,000/- [Rupees ten lakhs only] by way of DD No.035207 dated 27.06.2016 drawn on HDFC Bank, Nanganallur Branch from the petitioner towards permanent alimony as full and final settlement and I further submit that I do not have any other claim against the petitioner in future and I am also consenting for the grant of divorce in HMOP No.634 of 2014 on the file of Subordinate Judge, Tambaram.

6. I state that I agree to withdraw the petition for restitution of conjugal rights in HMOP No.179 of 2015 and the domestic violence complaint filed before the Welfare Officer, Kancheepuram against the petitioner herein. I further state that as per the petitioner's request I agree to hand over the Thali chain offered by the petitioner while we got married.

7. I state that I am filing this affidavit on my own will and free consent and there is no undue influence or coercion in filing this affidavit."

5. Demand Draft No.035207 dated 27.06.2016 for a sum of Rs.10,00,000/- [Rupees ten lakhs only] drawn on HDFC Bank Ltd., Nanganallur Branch, in favour of K.Veenadevi has been handed over to K.Veenadevi in the open Court.

In view of the above, this petition is allowed and the proceedings in C.C.No.356 of 2015 on the file of Judicial Magistrate, Alandur is quashed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

gms

To

1.The Inspector of Police
W-32 All Women Police Station
Madipakkam, Chennai 600 091.

2.The Public Prosecutor,
High Court, Madras.

3.The Judicial Magistrate,
Alandur.

+1cc to Mr.M.Palani, Advocate sr.40449

Cr1.OP No.14945 of 2016

ak[co]
srg 09/08/2016

सत्यमेव जयते

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