

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2016

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Crl.O.P.No.28359 of 2015
and
M.P.No.1 of 2015

K.Ganesan ... Petitioner/ Accused
Vs.

1.State of Tamil Nadu
Rep. by The Inspector of Police,
W-35, All Women Police Station,
Tambaram, Chennai-600 045,
Kanchipuram District....1st Respondent/ Complainant

2.V.Saradha Preetha ... Respondent/ Defacto Complainant

Prayer: Petition filed under Section 482 of Cr.P.C., praying to call for the records and to quash Crime No.20 of 2015 on the file of the Inspector of Police, W-35, All Women Police Station, Tambaram, Kanchipuram District.

For Petitioner : Mr.S.Giritharan

For Respondents : Mr.Mohamed Riyaz, GA (Crl.Side)
(For R1)
Mr.K.C.Vimal Sarathy (For R2)

ORDER

This petition has been filed by the petitioner praying to quash the complaint in Crime No.20 of 2015 pending on the file of the 1st respondent-Police.

2.The 2nd respondent/defacto-complainant has lodged a complaint as against the petitioner herein stating that by promising to marry her, the petitioner had sexual intercourse with the defacto-complainant and subsequently, he refused to marry her. On the basis of the complaint given by the petitioner, a case in Crime No.20 of 2015 has been registered by the 1st respondent-Police for the alleged offences under Sections 417, 376 & 506(i) IPC. Now, the petitioner has come forward with the present petition seeking to quash the complaint.

3.Today, when the matter is taken up for consideration, the petitioner, the 2nd respondent and the mother of the petitioner Kuruvammal are present before this Court and they represented the matter has been amiably settled. The 2nd respondent/defacto-complainant has also filed a consent affidavit stating that the marriage between the petitioner and the defacto-complainant has been solemnised on 02.09.2015 in the presence of elders, relatives and friends of both the families and thus, the matter has been amicably settled between the parties; that she has no objection to quash the complaint. The consent affidavit 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 complaint in Crime No.20 of 2015 pending on the file of the 1st respondent-Police is liable to be quashed and accordingly, the same is quashed.

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

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

ssv

To,

1.The Inspector of Police,
W-35, All Women Police Station,
Tambaram, Chennai-600 045,
Kanchipuram District.

2.The Public Prosecutor,
Madras High Court, Madras.

+1 cc to Mr.S.Giritharan, Advocate, sr.2963 (15.02.2016)

CrI.O.P.No.28359 of 2015
and M.P.No.1 of 2015

SCD (CO)
kk 9/2