

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2016

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Crl.O.P.No.22038 & 22039 of 2013
and
M.P.Nos.1 & 1 of 2013

V.Shyam Sundar ... Petitioner in Crl.O.P.22038/2013

1.R.Venkataraman ... 1st petitioner in Crl.O.P.22039/2013
2.V.Swarnalatha ... 2nd petitioner in Crl.O.P.22039/2013

Vs.

1.State rep. by
The Inspector of Police,
W-26, All Women Police Station,
Ashok Nagar,
Chennai.

2.Nirupama Sudhakar ... Respondents in both Crl.O.Ps.

Prayer: Petitions filed under Section 482 of Cr.P.C., praying to call for the records in C.C.No.226 of 2013 on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai and to quash the same, insofar as the petitioners are concerned.

For Petitioners : Mr.C.Sakthimanikandan

For Respondents : Mr.C.Emalias, APP (For R1)
M/s.Sudha Ramalingam (For R2)

ORDER

These petitions have been filed by the petitioners praying to quash the criminal proceedings in C.C.No.226 of 2013 on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai as against the petitioners herein. The petitioner in Crl.O.P.No.22038 of 2013 has been arrayed as 1st accused and the petitioners in Crl.O.P.Nos.22039 of 2013 have been arrayed as accused 2 & 3 respectively, in this case.

2.The petitioner in Crl.O.P.No.22038 of 2013 viz., Shyam Sundar is the husband of the 2nd respondent herein. The

petitioners in CrI.O.P.No.22039 of 2013 are the parents of the petitioner in CrI.O.P.No.22038 of 2013. The marriage between the petitioner Shyam Sundar and the 2nd respondent herein took place on 12.11.2010 at Bangalore. During the matrimonial life, dispute arose between the petitioners and the 2nd respondent/defacto-complainant. The 2nd respondent lodged a complaint as against the petitioners for the alleged offences under Sections 498A 406, 506() IPC r/w 34 IPC and the same was registered in Crime No.16 of 2012. The 1st respondent-Police, after completing investigation, filed a chargesheet and the same was taken on file as C.C.No.226 of 2013 on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai. Now, the petitioners have come forward with the present petitions seeking to quash the criminal proceedings.

3.Today, when the matter was taken up for consideration, both the parties were present before this Court and they represented that the matter has been amicably settled between them. A joint compromise memo has been filed by the 2nd respondent/defacto-complainant stating that the matter was settled amicably between the parties and she 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 C.C.No.226 of 2013 pending on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai is liable to be quashed and accordingly, the same is quashed. The memo of compromise filed by the Defacto-complainant shall form part of the order.

In fine, the criminal original petitions are allowed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To,

1.The XVII Metropolitan Magistrate,
Saidapet, Chennai.

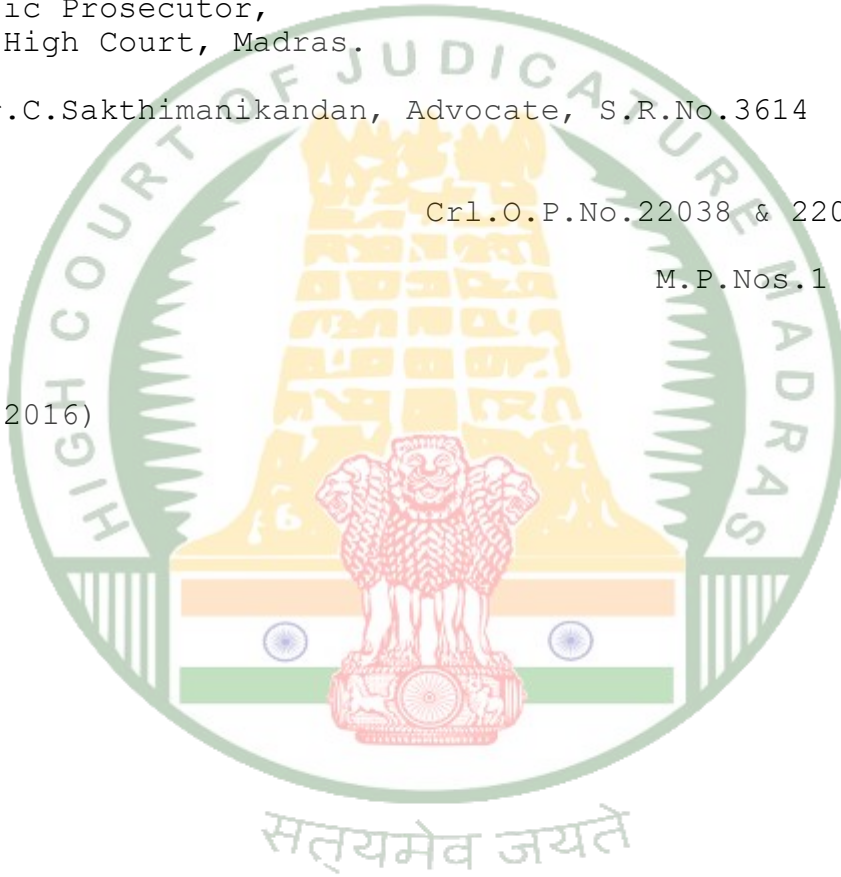
2.The Inspector of Police,
W-26, All Women Police Station,
Ashok Nagar,
Chennai.

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

+1cc to Mr.C.Sakthimanikandan, Advocate, S.R.No.3614

Crl.O.P.No.22038 & 22039 of 2013
and
M.P.Nos.1 & 1 of 2013

lrs (CO)
srg (05/02/2016)



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