

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.20527 of 2016

1.Hemachandra Kumar
3.Sumathi
4.Dr.Saravanan

2.Kulanthaivelu

...Petitioners

Vs

1.State represented by the Inspector of Police,
W-9, Police Station,
Villivakkam,
Chennai 600 049.

2.Srividhya

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the Records of Criminal Proceedings in C.C.No.7241 of 2013 pending on the file of Learned X Metropolitan Magistrate and quash the same based on the compromise Assessment datd 24.08.2016 arrived at between the petitioners and the SEcond Respondent/Defacto Complainant.

For Petitioners :Mr.I.Subramaniam,Senior Counsel
for Ms.S.Deepika

For Respondents :Mr.C.Emalias
Additional Public Prosecutor for R1

Mr.P.M.Ramanamoorthy
for R2 (No appearance)

ORDER

This petition has been filed to to call for the Records of Criminal Proceedings in C.C.No.7241 of 2013 pending on the file of Learned X Metropolitan Magistrate and quash the same.

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

3. On the complaint lodged by Srividhya, the respondent police, registered a case in Cr.No.7 of 2013 and after

completing the investigation has filed a final report in C.C.No.7241 of 2013 before the X Metropolitan Magistrate, Egmore u/s 498A, 406, 506(ii) IPC against four accused, challenging which this quash application has been filed by the accused, on the ground that the parties have arrived at a compromise.

4. Today Mr.A.Pragalathan, Spl.Sub Inspector of Police, Villupuram and the parties are present and the parties are identified by the police. Similarly the petitioners are present.

5. The parties have filed a memorandum of compromise dated 24.08.2016 according to which the parties have agreed to have the prosecution in C.C.No.7241 of 2013 quashed. The original joint memorandum of compromise dated 24.08.2016 has been submitted to this Court and it forms part of the case records. Under the joint memorandum of compromise, Srividhya has to be paid a sum of Rs.8 lakhs and already a sum of Rs.5 lakhs has been paid. Today the balance sum of Rs.3 lakhs has been paid to her by way of Demand Draft No.927949 dated 07.09.2016 and the same has been handed over to Srividhya in the open Court.

6. In the light of the above, this petition is allowed and the proceedings in C.C.No.7241 of 2013 on the file of the X Metropolitan Magistrate, Egmore, Chennai is hereby quashed. The petitioners are directed to pay a cost of Rs.25,000/- to the Tamil Nadu State Judicial Academy within a period of four weeks from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

dpq

To

1.The X Metropolitan Magistrate,
Egmore,
Chennai.

2. Do Thro The Chief Metropolitan Magistrate,
Egmore, Chennai.

3.State represented by
The Inspector of Police,
W-9, Police Station,
Villivakkam,
Chennai 600 049.

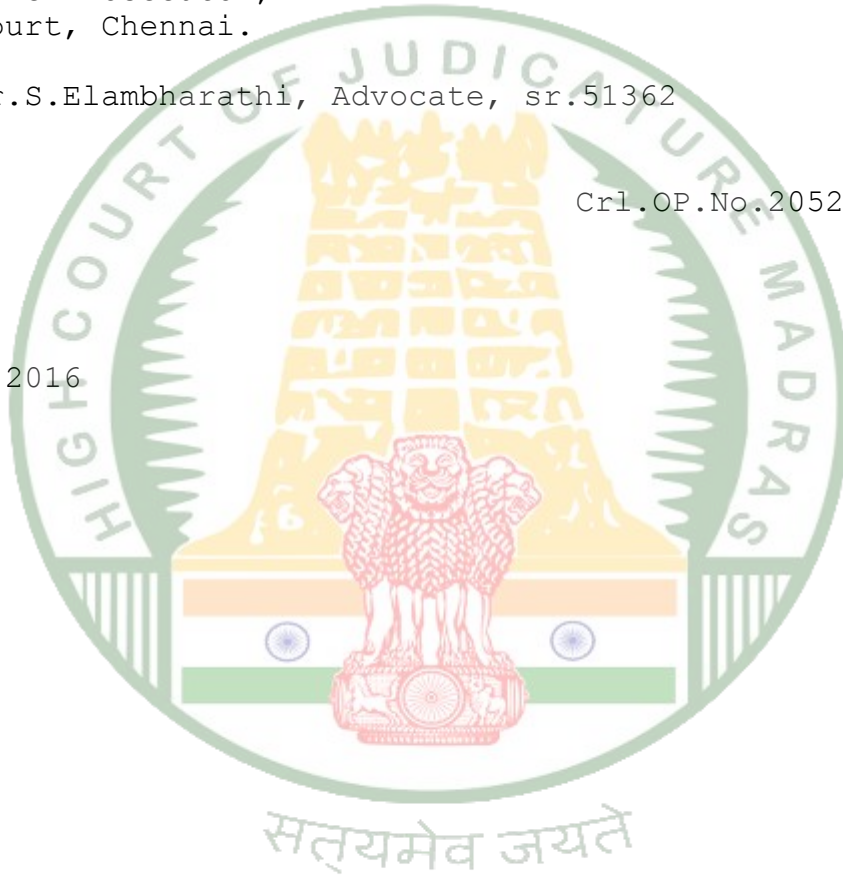
4.The Director,
Tamil Nadu State Judicial Academy,
Chennai.

5.The Public Prosecutor,
High Court, Chennai.

1 cc to Mr.S.Elambharathi, Advocate, sr.51362

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rsy co
kra 03.10.2016



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