

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2016

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. No.21836 of 2016 & Crl.M.P. No.10118 of 2016

1 P. Senthilkumar
2 P. Pushpa Rani
3 P. Elangovan
4 E. Sumathi

Petitioners

vs.

1 The State by
the Inspector of Police
W-22, All Women Police Station
Mylapore
Chennai 600 004
(Crime No.25 of 2015)

2 J. Anitha

Respondents

Criminal Original Petition filed under Section 482, Cr.P.C. seeking to call for the records relating to Crime No.25 of 2015 dated 12.11.2015 on the file of the Inspector of Police, W-22, All Women Police Station, Mylapore, Chennai and quash the same.

For petitioners Mr. R. Silambarasan
For R1 Mr. C. Emalias
Addl. Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to call for the records relating to Crime No.25 of 2015 dated 12.11.2015 on the file of the Inspector of Police, W-22, All Women Police Station, Mylapore, Chennai and quash the same.

2 On the complaint lodged by one Anitha, the second respondent herein, the first respondent police registered a case in Crime No.25 of 2015 on 12.11.2015 under Section 498-A, 406 and 506 (I) IPC against Senthil Kumar (A1), Pushparani (A2), Elangovan (A3), Sumathy (A4) and Shanthakumari (A5), seeking quashment of which, barring Shanthakumari (A5), the other accused have filed this Criminal Original Petition on the ground that they have arrived at a compromise with Anitha.

3 It is the case of Anitha that she got married to Senthil Kumar (A1) on 06.06.2011 and after marriage, she was subjected to

cruelty by Senthil Kumar (A1) and his relatives. Hence, the FIR.

4 Today, except Pushparani (second petitioner/A2) the other petitioners and the de facto complainant, are present and they are identified by Ms. C. Uvarani, Inspector of Police, W-22, All Women Police Station, Mylapore.

5 Senthil Kumar (A1), Elangovan (A3), Sumathi (A4) and Anitha (de facto complainant) have filed individual affidavits. The relevant portion of the affidavits filed by Senthil Kumar (A1), Elangovan (A3) and Sumathi (A4) is as under:

"4. I submit that as stated supra, we are compromise. So, we filed the above quash petition before this Hon'ble Court to quashing the FIR. I further submit that the de facto complainant also filed her affidavit. Unless this Hon'ble Court quash the FIR, I will be put to irreparable loss and hardship.

It is therefore prayed that this Hon'ble Court may be pleased to accept this affidavit and quash the FIR in Crime No.25 of 2015 on the file of the W-22, All Women Police Station, Mylapore, Chennai - 28 and thus render justice."

6 Likewise, the relevant portion of the affidavit filed by Anitha (de facto complainant) is as under:

"4. I submit that as stated supra we are compromise. So, the petitioners filed the above quash petition before this Hon'ble Court to quashing the FIR. I am de facto complainant and I have no objection to quash the FIR in Crime No.25 of 2015.

It is therefore prayed that this Hon'ble Court may be pleased to accept this affidavit and quash the FIR in Crime No.25 of 2015 on the file of the W-22, All Women Police Station, Mylapore, Chennai - 28 and thus render justice."

In view of the above, the proceedings in Crime No.25 of 2015 on the file of the first respondent police is hereby quashed and this Criminal Original Petition is allowed. Connected CrI.M.P. is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

cad

To

1 The Inspector of Police
W-22, All Women Police Station
Mylapore
Chennai 600 004

2 The Public Prosecutor
Madras High Court
Chennai 600 104

+1cc to Mr. R. Silambarasan, Advocate, S.R.No.60522

ssi(CO)
md (14/11/2016)

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