

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2016

CORAM

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

Cr1.O.P. No.23237 of 2016

1.Pradeepraj

2.Archana

3.Ezhilarasi

Petitioners

vs.

1.State by

Inspector of Police

W-25, All Women Police Station

T.Nagar, Chennai 17.

2.Deepa PV.Iyer

Respondents

Criminal Original Petition filed under Section 482, Cr.P.C. to call for the records relating to the case in C.C.No.5510 of 2015 on the file of the XVII Metropolitan Magistrate at Saidapet, Chennai and quash the same.

For petitioners Mr.K.Varadha Kamaraj

For R1 Mr.C.Emalias

Additional Public Prosecutor

For R2 Mr.V.R.Appaswamee

ORDER

This petition has been filed to call for the records relating to the case in C.C.No.5510 of 2015 on the file of the XVII Metropolitan Magistrate at Saidapet, Chennai and quash the same.

2. Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor appearing for the State and the learned counsel for the de facto complainant.

3. On the complaint lodged by Deepa PV.Iyer, the respondent police registered a case in Cr.No.8 of 2015 and after completing investigation, filed a Final Report in C.C.No.5510 of 2015 before the XVII Metropolitan Magistrate, Saidapet, Chennai u/s 294(b), 494, 498-A, 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act against three accused,

challenging which the accused are before this Court on the ground that the parties have arrived at a settlement.

4. Today, the accused Pradeepraj, Archana, Ezhilarasi and the de facto complainant Deepa PV.Iyer, are present and they are identified by Ms.K.Deepa, WHC 20871, W-25, All Women Police Station, T.Nagar, Chennai 17, who is also present before this Court. Deepa PV.Iyer has filed an affidavit, which reads as follows:

"10. I humbly submit that as per the compromise arrived between me and the 1st petitioner; all the problems between us are solved amicably. Considering the betterment and our further peaceful life and since the matter was amicably settled between us, the continuation of criminal proceedings against the Petitioners is unwarranted and unsustainable.

11. I humbly submit that I, the second Respondent herein also by considering my peaceful and future life, have agreed for the quashing of the C.C.No.5510 of 2015 on the file of XVII M.M.Saidapet, Chennai as per the compromise arrived between us.

12. I humbly submit that I am filing this affidavit voluntarily on my own willingness and without any threat, coercion or influence."

In view of the above, this petition is allowed and the proceedings in C.C.No.5510 of 2015 on the file of the XVII Metropolitan Magistrate at Saidapet, Chennai is hereby quashed. The petitioners are directed to pay costs of Rs.10,000/- [Rupees ten thousand only] to the Tamil Nadu State Judicial Academy, No.30(90), P.S.K.R.Salai, Greenways Road, R.A.Puram, Chennai-28 within a period of two weeks from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gms

To

1.The Inspector of Police
W-25, All Women Police Station
T.Nagar, Chennai 17.

2.The XVII Metropolitan Magistrate at Saidapet,
Chennai.

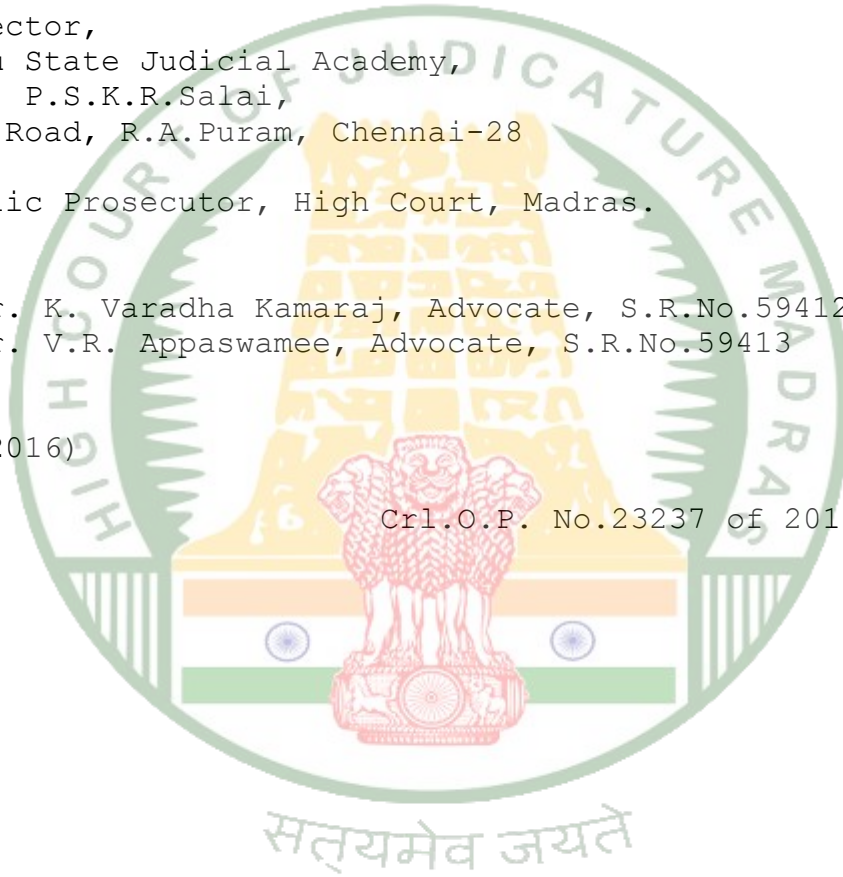
3.The Director,
Tamil Nadu State Judicial Academy,
No.30(90), P.S.K.R.Salai,
Greenways Road, R.A.Puram, Chennai-28

4.The Public Prosecutor, High Court, Madras.

+1cc to Mr. K. Varadha Kamaraj, Advocate, S.R.No.59412
+2cc to Mr. V.R. Appaswamee, Advocate, S.R.No.59413

cp (CO)
md (8/11/2016)

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