

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 25..10..2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Criminal Original Petition No.23891 of 2016

S.Ferose Khan

... Petitioner

-Versus-

1.Inspector of Police,
W-27, All Women Police Station,
Vadapalani,
Chennai.
[Crime No.08 of 2016]

2.R.Gayathry

... Respondents

Prayer: This petition is filed under Section 482 Cr.P.C. praying to call for the records relating to the case in Crime (FIR) No.8 of 2016 registered by the 1st respondent under Sections 495, 417 and 506(i) of IPC against the petitioner and to quash the said case based on the compromise deed entered into by the petitioner and the 2nd respondent.

For Petitioner : Mr.A.Raja Mohamed

For Respondents : Mr.C.Emalias, APP for R1

2nd Respondent - Party -
in - person

ORDER

On the complaint lodged by the 2nd respondent Gayathry, the 1st respondent police has registered a case in Crime No.8 of 2016 on 25.09.2016 under Sections 495, 417 and 506(i) of IPC against the petitioner. Seeking to quash the above said case, he is now before this court with the present original petition on the ground that himself and the 2nd respondent have arrived at a compromise.

2. The case of the 2nd respondent is that she was in love with the petitioner and she got married to him. Further,

according to her, their marriage was registered on 11.04.2016 before the Office of the Sub Registrar, Sholinganallur. It is alleged by her that the petitioner did not reveal to her that he was already married to one Fathima and hence, she was forced to make a complaint. Now, the parties have arrived at a compromise among themselves pursuant to which, the petitioner and Fathima are living as husband and wife. The deed of compromise entered into between the petitioner and the 2nd respondent dated 18.10.2016 engrossed on the non judicial stamp paper has been produced. Para 5 of the Deed of Compromise reads as follows:-

"5. That they were agreed to settle the matter amicably that the de facto complainant shall withdraw the complaint made against the accused due to the threatening and to marry the accused after his first marriage been legally ended."

3. Today, the petitioner S.Ferose Khan and the 2nd respondent Gayathry are present in court and they have been identified by Mrs.Sathiya, Grade-I Woman Police Constable, who have present in court.

4. In view of the above, the criminal original petition is allowed and the case in Crime No.08 of 2016 pending on the file of the 1st respondent police is hereby quashed in its entirety.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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TO

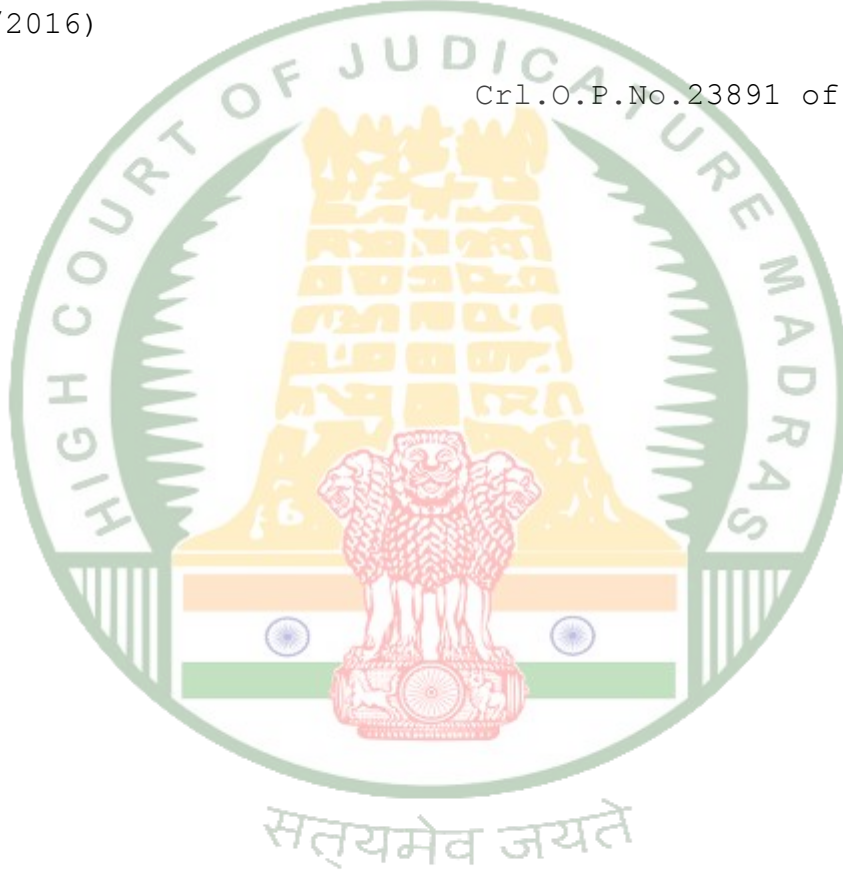
1. Inspector of Police, W-27, All Women Police Station, Vadapalani, Chennai.
2. The Public Prosecutor, High Court, Madras.

+1cc to Mr.A. Raja, Advocate, S.R.No.61163

pvs (CO)

md (11/11/2016)

CrI.O.P.No.23891 of 2016



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