

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI. O.P. No.9731 of 2016 &
CrI.M.P.No.5042 of 2016

1.Solomon Raja
2.Shanthi

Petitioners / Accused

Versus

1.State by

The Inspector of Police,
W-32, All Women Police Station,
Chennai - 600 091.

Respondent / complainant

2.D.Hepsi Rani

2nd respondent /
de facto complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records in C.C.No.146 of 2014 on the file of the learned Judicial Magistrate, Alandur, Chennai in Crime No.15 of 2013 on the file of the Inspector of Police, W-32, All Women Police Station, Chennai and quash the same.

For Petitioners

: Mr.Guruprasad
for Mr.G.Ashok Kumar

For Respondent No.1 :

Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This petition has been filed to quash the proceedings in C.C.No.146 of 2014 on the file of the learned Judicial Magistrate, Alandur, Chennai.

2.Heard the learned counsel for the petitioner; learned Additional Public Prosecutor for the first respondent and perused the materials placed on record.

3.On a complaint lodged by one Hepzi Rani, the respondent police registered a case in Crime No.15 of 2013 and

completed the investigation and filed Final Report in C.C.No.146 of 2014 against Solomon Raja and Shanthi for an offence under Section 498[A] of IPC before the learned Judicial Magistrate, Alandur, Chennai. Challenging which, this quash petition has been filed on the ground that the parties have arrived at a compromise.

4.Today, Hepzi Rani, the de facto complainant is present and she filed an affidavit, wherein it is stated as follows:

"1. I state that I am the second respondent in the quash petition and the de-facto complainant in the above Crime No.15 / 2013 on the file of the Inspector of Police, W-32, AWPS, Madipakkam, Chennai - 600 091. I have carefully read the contents of the quash petition filed by the petitioner herein. The averments in the quash petition are true and correct.

2. I most respectfully state that this Hon'ble Court may be pleased to allow the quash petition in the view of the compromise arrived between myself and the 1st petitioner herein, who is my husband and by view of the compromise we already filed mutual consent petition before the Hon'ble II Addl Family Court Chennai, in O.P.No.3969/2015.

In the above circumstances, I am filing this affidavit to state that the averments made in the quash petition are correct and an amicable settlement has been arrived between me and the 1st petitioner herein and this Hon'ble Court may be pleased to consider the quash petition and thus render justice."

WEB COPY

5.In view of the above, this Criminal Original Petition is allowed and the proceedings in C.C.No.146 of 2014 on the file of the learned Judicial Magistrate, Alandur, Chennai is hereby quashed. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

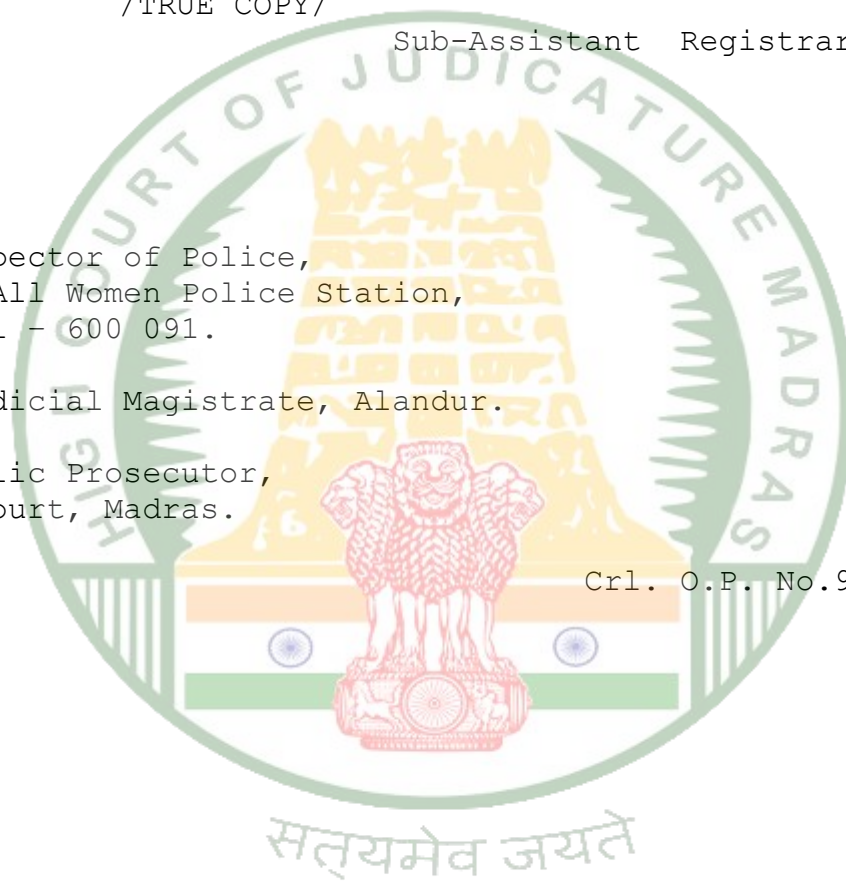
sri

To

- 1.The Inspector of Police,
W-32, All Women Police Station,
Chennai - 600 091.
2. The Judicial Magistrate, Alandur.
- 3.The Public Prosecutor,
High Court, Madras.

Crl. O.P. No.9731 of 2016

rk[co]
gp/22.7.



WEB COPY