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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2018

CORAM:

THE HONOURABLE MR. JUSTICE B. PUGALENDHI

CrI.O.P.No.12869 of 2011

and

M.P.No.1 of 2011

Mrs. Vasantha

...Petitioner/A2

Vs.

1. State, represented by
The Inspector of Police,
W-9, All Women Police Station,
Villivakkam, Chennai-49,
Crime No.6 of 2010.

2. Mrs. Beula

...Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code to call for the records in pertaining to the Final Report filed by the respondent police in C.C.No.4985 of 2010 on the file of the learned Chief Metropolitan Magistrate, Egmore, Chennai and to quash the same.

For Petitioner : No appearance

For R1 : Mr.T.Shanmugarajeshwaran
Government Advocate (CrI. Side)

For R2 : Not ready in Notice

ORDER

This Criminal Original Petition has been filed by the petitioner/A2 for quashing the final report filed by the respondent police in C.C.No.4985 of 2010 on the file of the learned Chief Metropolitan Magistrate, Egmore, Chennai.

2.The case of the prosecution is that the defacto complainant had got married to the petitioner's brother, namely, Magesh, who is the first accused in this case, on 30.05.2005 and at the time of marriage, the petitioner's family members demanded dowry from the defacto complainant's family members and as per the demand, the defacto complainant's family members were also made to part with 80 sovereigns of gold jewels and 2.25 lakh cash. After the marriage, due to the constant dowry demand



and harassment by the petitioner's family members, the defacto complainant left the matrimonial home and on her complaint, the respondent police registered a case against the petitioner and others for the offences punishable under Sections 498-A, 406, 420, 506(i) r/w 34 of IPC on 06.07.2010.

3. Earlier, when the matter was taken up for hearing on 20.11.2018, there was no representation for the petitioner and it was adjourned to 22.11.2018. Even on that day, there was no representation for the petitioner and therefore, the case was directed to be listed under the caption "for dismissal". In the meantime, the learned Government Advocate (Crl. Side) was directed to get instructions as to the stage of the case before the trial Court.

4. Today, when the matter is taken up for hearing, there is no representation for the petitioner, despite it is posted under the caption 'for dismissal'. The learned Government Advocate (Crl. Side), on instructions, submitted that the defacto complainant and the petitioner's brother are living together for the past three years, as such, they are not interested in continuing with the case. The learned Government Advocate (Crl. Side) has also placed on record the order passed by this Court in Crl.O.P.Nos.9439 and 15389 of 2011, dated 08.10.2013, pertaining to the co-accused, wherein, those applications have been disposed as the issue between the parties have been compromised and they are living together.

5. Recording the above submissions made by the learned Government Advocate (Crl. Side), the Criminal Original Petition is dismissed as infructuous. Consequently, connected Miscellaneous Petition is closed.

msm/gk

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Chief Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
W-9, All Women Police Station,
Villivakkam, Chennai - 49.



3. The Public Prosecutor,
High Court, Madras.

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Kak(02/08/2019)

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