

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.10251 of 2018

and

Crl.M.P.Nos.5237 and 5238 of 2018

J.Suresh

.. Petitioner

Vs

1.The Inspector of Police
W-13, All Women Police Station,
Washermenpet,
Chennai-21.

2.Deepa

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in C.C.2179 of 2017 on the file of Hon'ble XV Metropolitan Magistrate at George Town and quash the same.

For Petitioner : Mr.K.Nagarajan

For Respondents : Mrs.Kritika Kamal.P for R1
Government Advocate (crl. Side)

O R D E R

This petition has been filed to call for the records in C.C.2179 of 2017 on the file of Hon'ble XV Metropolitan Magistrate at George Town and quash the same.

2.On the complaint lodged by the second respondent, the first respondent has registered a case in Crime No.8 of 2015 and on completion of investigation, charge sheet has been filed in C.C.No.2179/2017 before the XV Metropolitan Magistrate, George Town, Chennai, for the offence under Section 498(A) IPC against the petitioner herein, for quashing which, this petition has been filed on the ground that both the parties have arrived at a compromise.

3.Today, Mrs.R.Sumathi, Sub Inspector, W13, All Women Police Station is present. The petitioner and the second respondent are present and they are identified by the Sub Inspector of police.

4.The second respondent has filed an affidavit dated 20.04.2018, wherein at paragraph No.4, it is stated as follows:

"4. I further submit that during the pendency of the above petition for divorce, myself and the petitioner came to conclusion that there is no possibility for reunion and consequently, both of myself and the petitioner have decided to settle the issue amicably between us. Hence, we had jointly filed the Compromise memo Before the Hon'ble III Addl. Family Court Judge at Chennai. On the basis of the Joint compromise memo Decree of divorce was granted.

5.I further submit that in that joint compromise memo itself I had agreed to withdraw complaint against the petitioner. Before that the 1st Respondent police had filed charge sheet against the petitioner before the Hon'ble XV Metropolitan Magistrate at George Town, Chennai in C.C.No.2179 of 2017. The dispute between myself and the petitioner was settled once for all before the Hon'ble Addl. Family Court at Chennai in O.P.No.4020 of 2016. And I am inclined to withdraw the criminal procedure in Crime No.8 of 2016 against the petitioner and I have no objection to quash the C.C.No.2179 of 2017 on the file of the Hon'ble XV Metropolitan Magistrate at George Town, Chennai.

6.Therefore I pray that this Hon'ble Court may be pleased to record my affidavit and quash the above C.C.No.2179 of 2017 on the file of the Hon'ble XV Metropolitan Magistrate at George Town, Chennai and pass such or further orders as this Hon'ble Court may think deem fit and proper of the said circumstances of the case and thus render justice."

5.In view of the above, this petition is allowed and the proceedings in C.C.No.2179 of 2017 pending on the file of the XV Metropolitan Magistrate, George Town, Chennai, is hereby quashed. The connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

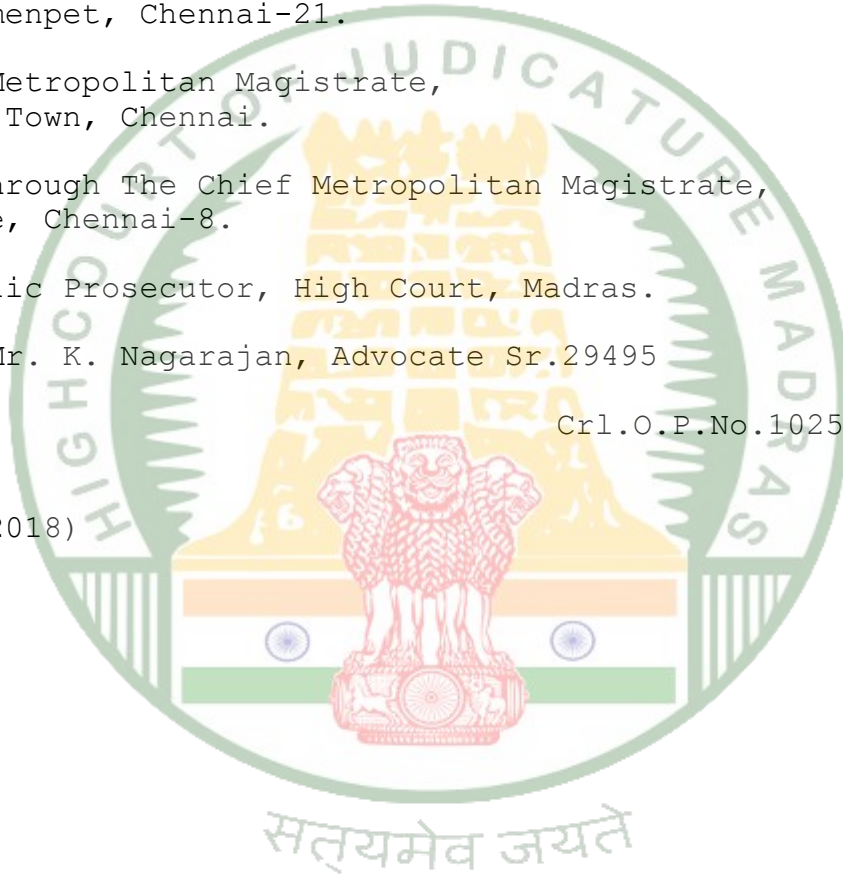
vri

To

- 1.The Inspector of Police
W-13, All Women Police Station,
Washermenpet, Chennai-21.
 - 2.The XV Metropolitan Magistrate,
George Town, Chennai.
 3. -do- Through The Chief Metropolitan Magistrate,
Egmore, Chennai-8.
 - 4.The Public Prosecutor, High Court, Madras.
- + 1 ccto Mr. K. Nagarajan, Advocate Sr.29495

Cr1.O.P.No.10251 of 2018

GJ(CO)
EU(09/05/2018)



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