

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.3510 of 2018 & Crl.O.P.No.26576 of 2013
and
Crl.MP.Nos.1555 & 1556 of 2018

1.Kaanthan
2.Babu
3.Deivamani
4.Ruthraprakash ... Petitioners/Accused 1-4
(in Both Crl.OP's)

Versus

1.State rep.by
The Inspector of Police,
Virudhampattu Police Station,
Katpadi All women Section,
Vellore District.
(Crime No.879 of 2013)
2.S.Dharani . Respondents/Defacto Complainant
(in Both Crl.OP's)

Prayer in Crl.O.P.No.3510 of 2018:

Criminal Original Petition filed under Section 482 Cr.P.C.
to call for the records in C.C.No.323 of 2017 pending on the
file of the Judicial Magistrate - III, Vellore, Vellore District
and quash the Charge Sheet pending against the petitioners.

Prayer in Crl.O.P.No.26576 of 2013:

Criminal Original Petition filed under Section 482 Cr.P.C.
to call for the records in FIR in Crime No.879 of 2013 on the
file of 1st respondent police and quash the same.

For Petitioners :Ms.D.Malarvizhi(inCrl.OP.26576/2013)
:Mr.D.Thirumoorthy(in Crl.OP.3510/2018)

For Respondents : Mrs.P.Kritika Kamal - For R1
(in both Crl.OP's)
: Mr.P.Subba Reddy - For R2

O R D E R

The prayer sought for in the both petitions are to record the affidavit and quash the C.C.No.323 of 2017 pending on the file of the Judicial Magistrate - III, Vellore, Vellore District and Crime No.879 of 2013 on the file of Inspector of Police, Virudhampattu Police Station, Katpadi, All women Police Station.

2. It is submitted that, pending Criminal Original Petitions, the petitioners and the 2nd respondent / de-facto complainant have amicably resolved the dispute between themselves.

3. Both the learned counsel have identified the de-facto complainant, who is present before this Court today. In order to identify the de-facto complainant in both petitions, she has submitted the photo copy of her Identity Card viz., S.Dharani - 583225820072 and after verification of the original, the same is recorded.

4. Today, an Affidavit dated 16.03.2018 was also filed by the 2nd respondent / de-facto complainant to the effect that she has no objection to quash the proceedings in C.C.No.323 of 2017 pending on the file of the Judicial Magistrate - III, Vellore, Vellore District and Crime No.879 of 2013 on the file of Inspector of Police, Virudhampattu Police Station, Katpadi, All women Police Station.

5. Recording the same, the proceedings in C.C.No.323 of 2017 pending on the file of the Judicial Magistrate - III, Vellore, Vellore District and Crime No.879 of 2013 on the file of Inspector of Police, Virudhampattu Police Station, Katpadi, All women Police Station are quashed. The Criminal Original Petitions are allowed. Consequently, the connected Miscellaneous Petitions are closed.

6. The Affidavit filed by the 2nd respondent / de-facto complainant dated 16.03.2018 shall form part of the order.

Her in enter the Affidavit date 16.03.2018

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

klt
To

1.The Inspector of Police,
Virudhampattu Police Station,
Katpadi All women Section,
Vellore District.

2. The Public Prosecutor
High Court, Madras.

3.The Judicial Magistrate-III
Vellore,Vellore District

+1cc to Mr.D.Thirumoorthy , Advocate, S.R.No.20371
+1cc to Mr.P.Subba Reddy , Advocate, S.R.No.20198

Crl.O.P.No.3510 of 2018
and
Crl.O.P.No.26576 of 2013

nmi (CO)
GSP (05/04/2018)



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