

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2018

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

CrI. O.P. No.2154 of 2018 &
CrI.M.P. Nos.825 and 898 of 2018

1	K. Manikandan @ Babu	
2	Vijitha Kandasamy	
3	Kokila	Petitioners
	vs.	
1	The State of Tamil Nadu represented by Sub-Inspector of Police S-15 Selaiyur Police Station Chennai 600 073 (Cr. No.1176 of 2017)	
2	Sampoornam	Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking to call for the records relating to S.T.C. No.3817 of 2017 on the file of the Judicial Magistrate at Tambaram, Kancheepuram District and quash the same as against the petitioners.

For petitioners	Mr. S. Anil Sandeep
For R1	Mr.C.Raghavan Govt. Adv. (CrI. Side)
For R2	Mrs. Sudha Ramalingam

ORDER

This Criminal Original Petition has been preferred seeking to call for the records relating to S.T.C. No.3817 of 2017 on the file of the Judicial Magistrate at Tambaram, Kancheepuram District and quash the same as against the petitioners.

2 On the complaint lodged by the second respondent, the first respondent police registered a case in Cr. No.1176 of 2017 and after completing the investigation, have filed a charge sheet

in S.T.C. No.3817 of 2017 before the Judicial Magistrate Court, Tambaram, against the petitioners herein for the offences under Sections 323, 294(b) and 341, for quashing which, this application has been filed seeking the aforesaid relief.

3 Manikandan (A1), Vijitha Kandasamy (A2) and Kokila (A3) are present. Sampooranam, (de facto complainant) is also present and is represented by her counsel. Ms. A. Vasuki, WHC 43859 S-15 Selaiyur Police Station is also present.

4 The de facto complainant has filed an affidavit, wherein, at paragraph no.3, it is stated as follows:

"3. I state that the 1st petitioner is my son-in-law. The petitioners 2 and 3 are the sisters of the 1st petitioner. The subject matter of Crime No.1176 of 2017 and STC No.3817 of 2017 relates to the marital discord between the first petitioner and his wife, who is my daughter. We have reached a compromise in the matter and all disputes thereof have been settled and recorded in a Memorandum of Understanding (MOU) dated 19.12.2017. Hence, the charge sheet taken on the file of the learned Judicial Magistrate at Tambaram, Kancheepuram District, as S.T.C. No.3817 of 2017 could be quashed as against the petitioners on the aforesaid ground alone."

5 In view of the above, the proceedings in S.T.C. No.3817 of 2017 on the file of the Judicial Magistrate, Tambaram, is quashed in respect of all the accused, on condition that the petitioners pay a sum of Rs.5,000/- to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), within a period of two weeks from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

In fine, this Criminal Original Petition is allowed. Connected Crl.M.Ps. are closed.

Sd/-
Assistant Registrar (CS VII)

//True copy//

Sub Assistant Registrar

cad

To

- 1 The Judicial Magistrate
Tambaram
Kancheepuram District
- 2 The Sub Inspector of Police
S-15 Selaiyur Police Station
Chennai 600 073
- 3 The Public Prosecutor
High Court of Madras
Chennai 600 104.

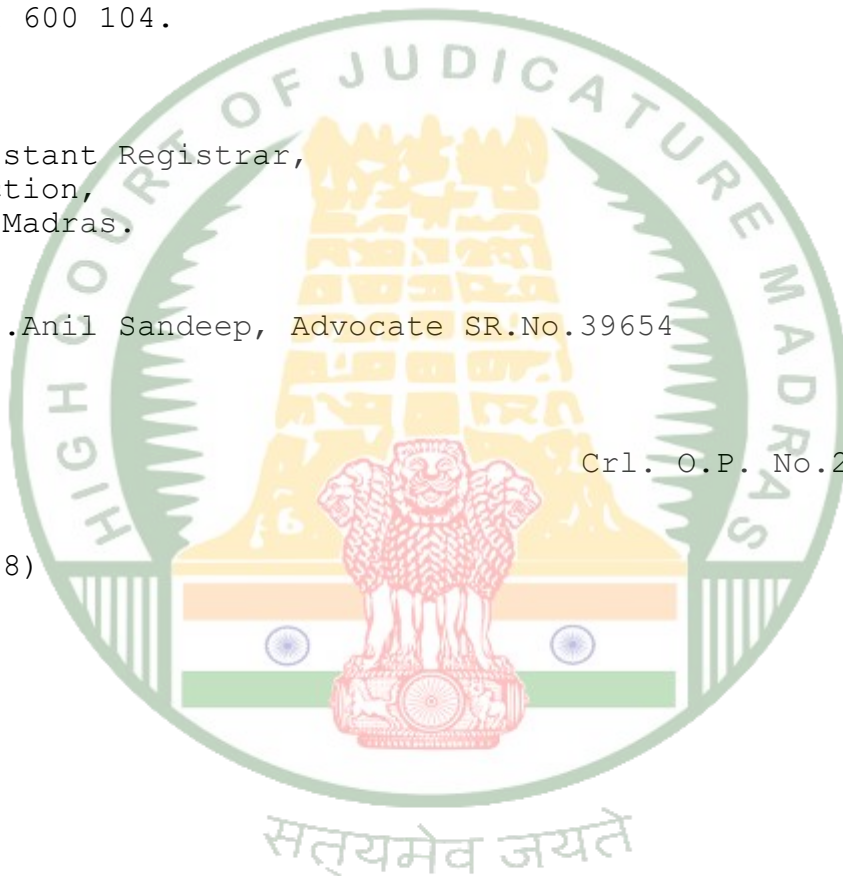
Copy TO

The Sub Assistant Registrar,
Accounts Section,
High Court, Madras.

+5cc to Mr.S.Anil Sandeep, Advocate SR.No.39654

Crl. O.P. No.2154 of 2018

RK (CO)
GN(25/06/2018)



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