

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2018

CORAM:

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

Crl.O.P.No.17232 of 2018 & Crl.M.P.No.8898 of 2018

1 Raghuraman Rajaraman (Raghu)
2 Rajaraman
3 Sundary
4 Suja
5 Jayaraman Petitioners

Vs.

1 The State represented by
the Inspector of Police
All Women Police Station
Poonamallee
Chennai 600 056
Cr. No.16/2017
2 Vaishali @ Deepa Respondents

Criminal Original Petition filed under Section 482 Cr.P.C.,
seeking to call for the records and quash the FIR in Cr. No.16
of 2017 on the file of the first respondent.

For petitioners Mr. R.M.D. Nazarullah
For R1 Mr. C. Raghavan
Govt. Advocate (Crl. Side)

For R2 Ms. Harini

ORDER

This Criminal Original Petition has been filed seeking to
call for the records and quash the FIR in Cr. No.16 of 2017 on
the file of the first respondent.

2 On the complaint lodged by Vaishali, the second
respondent/de facto complainant, the first respondent police
registered a case in Cr. No.16 of 2017 on 28.10.2017 under
Sections 498-A, 406 and 109 IPC against Raghuraman and 4 others

(petitioners herein), for quashing which, this Criminal Original Application has been filed seeking the aforesaid prayer.

3 Today, Vaishali, the de facto complaint is present before this Court and she is identified by Ms. S. Swarnalatha, Woman Head Constable, A.W.P.S., Poonamallee, who is also present before this Court.

4 Today, the parties have produced a joint memo of compromise dated 06.07.2018, wherein, it is stated as under:

"3. After several rounds of negotiations and due deliberations, the first petitioner and the second respondent herein gave up all the proceedings pending before various courts and jointly filed an application before the III Additional Family Court, Chennai, seeking for dissolution of marriage that took place between them on 26.02.2016 under Section 13B of the Hindu marriage Act. The first petitioner and the second respondent herein undertook not to proceed against each other in any Court or other forums. The second respondent herein undertook not to pursue the criminal case pending investigation before the first respondent in Cr. No.16/2017. The first petitioner and the second respondent have exchanged all their belongings viz., jewels, wearing apparels and silver articles. The first petitioner has also paid Rs.11,50,000/- to the second respondent towards one time settlement. The III Additional Family Court, after considering the depositions of the first petitioner and the second respondent granted decree of divorce on 18.06.2018 by dissolving the marriage that took place between the 1st petitioner and the second respondent on the ground of mutual consent.

4. It is submitted that in view of the settlement arrived at between the first petitioner and the second respondent and dissolution of marriage, the second respondent is not willing to pursue the criminal case pending before the first respondent in Cr. No.16/2017 against the petitioners. The second respondent has no objection for quashing the FIR in Cr. No.16/2017 pending on the file of the first respondent against the petitioners."

In view of the above, the prosecution in Cr. No.16 of 2017 on the file of the first respondent police is quashed against all the accused and as a sequel, this Criminal Original Petition is allowed on condition that the petitioners pay a sum of Rs.1,000/- each as costs 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. Connected CrI.M.P. is closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

cad

To

1 The Inspector of Police
All Women Police Station
Poonamallee
Chennai 600 056

2 The Section Officer
Accounts Section
High Court of Madras
Chennai 600 104

3 The Public Prosecutor
High Court, Madras
Chennai 600 104

+1cc to Mr.K.V.SHANMUGANATHAN, Advocate, S.R.No. 48556

CrI.O.P.No.17232 of 2018

TR(25/07/2018)

सत्यमेव जयते

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