

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. No.18647 of 2017

and

Crl.M.P.No.11351 of 2017

1.M.Sampath

2.S.Santhi

3.P.Urmila

4.Boddu Penta Rao

5.Boddu Sridevi Penta Rao

.. Petitioners

Vs

1.The State

Rep. by the Inspector of Police,
W-28, All Women Police Station,
Ambattur,
Chennai-53.

[Crime No.24 of 2012]

2.Viji @ Vijayalakshmi

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the Final Report filed in C.C.No.403 of 2013, on the file of the Judicial Magistrate Court, Ambattur and quash the same as illegal.

For V.Padmanaban senior counsel

For Petitioners : Mr.S.BViswanathan

For Respondents : Mr.M.Mohamed Riyaz, APP for R 1
Mr.P.Rathnavel for R 2

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.403 of 2013, pending on the file of the Judicial Magistrate Court, Ambattur.

2.The respondent Police have filed a Final Report for an offence under Section 498 (A) and 506(ii) IPC r/w Section 4 of D.P.Act. During the course of the proceedings, the husband who was added as A-1 has expired. Thereafter, the parties have come to a mutual settlement.

3.The de-facto Complainant was present before the Court. She stated that she is no more interested in proceedings further with the case pending before the Court below. Presently, the proceedings are pending only as against the in-laws, the alleged 2nd wife and her parents. In view of the specific stand taken by the 2nd respondent, no useful purpose will be served in keeping the proceedings pending before the Court below.

4.In view of the above, the proceedings in C.C.No.403 of 2013, on the file of the Judicial Magistrate Court, Ambattur is hereby quashed. The Criminal Original Petition is allowed in terms of the affidavit filed by the 2nd respondent before this Court and also the statement made by her before this Court in person. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

KP

To

1.The Judicial Magistrate Court,
Ambattur.

2.The Inspector of Police,
W-28, All Women Police Station,
Ambattur,
Chennai-53.

3.The Additional Public Prosecutor,
High Court of Madras,
Madras.

+1cc to Mr.S.B.Viswanathan, Advocate, S.R.No.82669

+1cc to Mr.P.Rathnavel, Advocate, S.R.No.82569

CrI.O.P. No.18647 of 2017

VSNIIC(CO)

GSP(19/12/2018)