



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.10.2018

CORAM:

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

CrI.O.P. No.24773 of 2018

1. Col.John Sherry @ John MC Donald
2. John De Britto
3. Chandra
4. John Vijay Robby
5. John Jerry

Petitioners/Accused 1 to 5

vs.

1.State rep. by
The Inspector of Police
W22, All Women Police Station
Mylapore, Chennai 600 004.

Respondent /Complaint

- 2.Juliet Jaishree Rani .. 2nd Respondent/Defendent/Complaint

Criminal Original Petition filed under Section 482 Cr.P.C. seeking to call for the records in C.C.No.11771 of 2011 on the file of the XVIII Metropolitan Magistrate, Saidapet, Chennai, in Cr.No.10 of 2010 on the file of the 1st respondent, quash the same.

For petitioners	Mr. K.P. Anantha Krishna
For R1	Mrs. M. Prabhavathi
	Addl. Public Prosecutor
For R2	Mr.K.V. Sridharan

O R D E R

This Criminal Original Petition has been filed seeking to call for the records in C.C.No.11771 of 2011 on the file of the XVIII Metropolitan Magistrate, Saidapet, Chennai and quash the same.

2 On the complaint lodged by Juliet Jaishree Rani, the second respondent herein, the first respondent police registered a case in Cr. No.10 of 2010 and after completing the investigation, filed a charge sheet in C.C.No.11771 of 2011 before the XVIII Metropolitan Magistrate, Saidapet, Chennai, for offences under Sections 498-A, 506(ii), 406 IPC and Section 4 of Dowry Prohibition Act, for quashing which, the accused are before this Court on the ground that the parties have arrived at a compromise.

3. Today, John Sherry [A1] and Juliet Jaishree Rani [de facto complainant] are present.

4. The de facto complainant has filed an affidavit dated 21.10.2018, wherein, she has stated as under:



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"2. I humbly submit that I have lodged a complaint against the petitioners before the 1st respondent police and the same got to be registered in Crime No.10 of 2010. Investigation culminated in a final report by the 1st respondent for the alleged offence under section 498-A, 506(ii), 406 of IPC r/w 4 of DP Act of which the learned XVIII Metropolitan Magistrate, Saidapet, Chennai took cognizance in C.C.11771 of 2010

3. I humbly submit that keeping the future of our daughter Jude Josephine Amala in mind, the 1st petitioner and myself have reached an understanding amongst ourselves and ironed out all our differences. We have decided to settle all the disputes amicably and live life unitedly as a family. The MOU has been enclosed along with this affidavit.

4. I submit that by virtue of amicable settlement and to the fact that I decided to drop further proceeding in the above case as the matter is amicably settled between us."

In view of the above, the proceedings in C.C.No.11771 of 2011 on the file of the XVIII Metropolitan Magistrate Court, Saidapet, Chennai, is hereby quashed as against all the accused and as a sequel, this Criminal Original Petition is allowed on condition that the petitioners herein, pay a sum of Rs.1,000/- each (total Rs.5,000/-) 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.

Sd/-

Assistant Registrar(CS ix)

//True Copy//

Sub Assistant Registrar

gms
To

1. The Inspector of Police
W22, All Women Police Station
Mylapore, Chennai 600 004.

2.The XVIII Metropolitan Magistrate,
Saidapet, Chennai

3.The Public Prosecutor
High Court of Madras
Chennai 600 104



4. The section officer,
Accounts Section,
High court
Madras

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+2cc to Mr.K.P. Anantha Krishna , Advocate SR.No. 72878

Cr1.O.P. No.24773 of 2018

ASK(15/11/2018)