

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 03.12.2018

CORAM:
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P. No.27554 of 2018

1. Jayakaanthan Durairaj
2. Dr. Santha Durairaj
3. Dr. G. K. Durairaj
4. Mrs. Jayamani .. Petitioners/Accused 1 to 4

. Vs .

1. The State
Rep. by the Inspector of Police,
W-24, All Women Police Station,
Teynampet, Chennai. ... Respondent/Complainant
[Crime No.6 of 2017]

2. D. Keerthanaveena 2nd Respondents/De-facto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and to quash the proceedings in C.C.No.2364 of 2018, on the file of the learned XVIII Metropolitan Magistrate Court, Saidapet, Chennai against the petitioners.

For Petitioners : Mr. K. R. Ramesh Kumar

For Respondents : Mr. M. Mohamed Riyaz, APP for R 1
Appeared in person for R 2

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.2364 of 2018, pending on the file of the XVIII Judicial Magistrate Court, Saidapet, Chennai.

2. The respondent Police have filed a Final Report against the accused persons for an offence under Section 498 A and 406 IPC. The 1st petitioner is the husband, 2nd and 3rd petitioners are his parents and the 4th petitioner is the grand mother of the 1st petitioner. During the pendency of the proceedings, the parties have decided to settle the dispute among themselves and have also reached compromise.

3.The de-facto Complainant was present before this Court and she made a categorical statement that the dispute has been compromised between the parties and she is no more interested in pursuing further with the case pending before the Court below. The de-facto Complainant has also filed an affidavit before this Court, wherein she has reiterated the very same stand.

4.In view of the above development no useful purpose will be served by keeping the proceedings pending before the Court below. The offence in question even though is non compoundable, the facts of the case is squarely false within the guidelines given by the Hon'ble Supreme Court reported in [2017 9 SCC 641] - Parbathbhai Aahir @ Parbathbhai Vs. State of Guj Rath.

5.In the result, the proceedings in C.C.No.2364 of 2018, on the on the file of the XVIII Metropolitan Magistrate Court, Saidapet, Chennai is hereby quashed. Accordingly, 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.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

KP

To

1.XVIII Metropolitan Magistrate Court,
Saidapet, Chennai.

2.The Inspector of Police,
W-24, All Women Police Station,
Teynampet, Chennai.

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

Crl.O.P. No.27554 of 2018

CA(CO)

rrs 26/12/2018