

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.7533 of 2019

Karthikeyan

...Petitioner

Vs.

1. State by:

The Inspector of Police,
Vellore Police Station,
Namakkal District,
Crime No.612 of 2018.

2. Saraswathi

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code to call for the records in Crime No.612 of 2018 pending on the file of the Inspector of Police, Velur Police Station, Namakkal District and quash the same.

For Petitioner : M/s.N.Sudharsan

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor for R1

O R D E R

This Criminal Original Petition is filed by the petitioner seeking to quash the FIR in Crime No.612 of 2018 on the file of the first respondent/Inspector of Police, Velur Police Station, Namakkal District.

2. Pursuant to the complaint lodged by the second respondent police, the first respondent registered the case against the petitioner and others in Crime No.612 of 2018 for the offence under sections 323, 376, 417, 341 and 506(ii) IPC read with section 3(1) (w) (i) and 3 (2) (v) of the scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Amendment Act, 2015.

3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner submitted that

after registration of the FIR, the petitioner and the second respondent got married on 24.02.2019 at Arulmighu Balathandayuthabani Swamy Thirukoil, Gandhi Nagar, Mohanur, Namakkal District - 637 001. He would submit that after the marriage, the petitioner and the 2nd respondent are living peacefully and smoothly. The learned Counsel also produced the Joint Affidavit of the petitioner and the 2nd respondent/defacto complainant, wherein it is stated as under:

" We submit that we are running our life is peacefully, we are jointly to undertake living peacefully and don't make any disputes in future between ourself. So we are decided and the defacto complainant is ready to withdraw the complaint which is given against the petitioner. She don't want further action in FIR in Crime No.612 of 2018 which registered by the Inspector of Police, Velur Police Station, Namakkal District. So both are jointly prayed that FIR in Crime No.612 of 2018 will be quashed against the petitioner and other accused.

4. The Joint Affidavit filed by the petitioner and the 2nd respondent is taken on record. Accordingly, the Criminal Original Petition is allowed and the FIR in Crime No.612 of 2018 on the file of the first respondent police is quashed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

msm

To

1.The Inspector of Police,
Vellore Police Station,
Namakkal District,
Crime No.612 of 2018.

2.The Public Prosecutor,
High Court, Madras.

SSD(CO)
CB(04/07/2019)

Cr1.O.P.No.7533 of 2019