

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2019

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.20345 of 2019

and

Crl.M.P.No.10459 of 2019

1.Pugalmathi

2.E.Rajendran

... Petitioners/Accused 2 & 3

-vs-

1.The State by Inspector of Police,
All Women Police Station,
Thiruvallur District.

2.Sathiyavathi ... Respondents/Complainant/Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records is relating to FIR in Crime No.11/2019 on the file of the respondent police and quash the same as illegal improper.

For Petitioners : Mr.D.Charles Muthushanthan

For Respondents : Mr.M.Mohamed Riyaz (for R1)
Additional Public Prosecutor

ORDER

This petition has been filed seeking to quash the FIR in Crime No.11 of 2019 pending investigation on the file of the 1st respondent police.

2.When the matter came up for hearing during the last occasion, it was informed to this Court that the defacto complainant has already married A1 in the month of July 2019. Therefore, this Court directed the defacto complainant to be present before this Court and today she is present before this Court.

3.This Court personally enquired the defacto complainant and she categorically admitted that she has married one Senthilkumar, who is shown as A1 in the FIR. The petitioners are the parents of Senthilkumar and they have been added as A2 and A3.

4.The defacto complainant further stated that she is living with the said Senthilkumar separately at Thiruvallur and the petitioners are consistently causing threat and interfering with the life of the defacto complainant. She also stated that she is not interested to prosecute the case against the petitioners who are now the in-laws of the defacto complainant.

5.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent police.

6.In view of the subsequent development wherein the defacto complainant has married A1 on 08.07.2019 and both of them are now living at Thiruvallur, this Court is of the considered view that the continuation of the criminal proceedings will amount to abuse of process of law. The 1st respondent police is directed to call the petitioners and take a written undertaking from them that they will not interfere with the life of the defacto complainant and her husband and they will not cause any threat to them.

7.In the result, the FIR in Crime No.11 of 2019, on the file of the Inspector of Police, All Women Police Station, Thiruvallur District, is hereby quashed. Accordingly, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-V)

//True copy//

Sub Assistant Registrar

vs

To

1.The Inspector of Police,
All Women Police Station, Thiruvallur District.

2.The Public Prosecutor,
Madras High Court, Chennai.

+1cc to Mr.D.Charles Muthushanthan, Advocate SR.No.74383

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NRJK (CO)
GMY (23/09/2019)