

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.02.2019

Coram

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.27464 of 2017
and Crl.M.P.No.15691 of 2017

1. N.Prabhu
2. Saraswathi
3. N.Satheeshkumar
4. Nataraj

... Petitioners/Accused Nos.1 to 4

Vs.

1. State Rep. By, Inspector of Police,
All Women Police Station (East),
Coimbatore City. ... Respondent/Complainant
2. A.Pavithra ... Respondent/Defacto Complainant

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to C.C.No.69 of 2017 on the file of the Judicial Magistrate Additional Mahila Court, Coimbatore and quash the same as far as the petitioners are concerned.

For Petitioners : Mr.I.Abrar Md Abdullah

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

For R2 : Mr.C.S.Dhanasekaran

ORDER

This Criminal Original Petition has been filed to call for the records relating to C.C.No.69 of 2017 on the file of the Judicial Magistrate Additional Mahila Court, Coimbatore and quash the same.

2. An affidavit has been filed by the second respondent/defacto complainant stating that a case has been registered on her complaint in Cr.No.10 of 2016 and investigated by the first respondent police and after completion of the investigation, a final report was filed against the

petitioners/accused herein before the Judicial Magistrate Additional Mahila Court, Coimbatore. Thereafter, the learned Judicial Magistrate had taken cognizance for the offences under sections 498A and 506(i) of IPC and the case was numbered as C.C.No.69 of 2017. Subsequently, the petitioners have moved this petition in Crl.O.P.No.27464 of 2017 before this Court, to quash the proceedings against them in C.C.No.69 of 2017. In the meanwhile, an agreement for dissolution of marriage has been made between the defacto complainant and the petitioners and as per which, it was mutually agreed to withdraw the case in C.C.No.69 of 2017 filed as against the petitioners before the learned Judicial Magistrate Additional Mahila Court, Coimbatore. Further, the second respondent/defacto complainant has given her consent in her affidavit, to quash the proceedings in C.C.No.69 of 2017 pending on the file of the Judicial Magistrate Additional Mahila Court, Coimbatore.

3. In view of the mutual agreement between the parties, this Court is inclined to quash the C.C.No.69 of 2017 pending on the file of the Judicial Magistrate Additional Mahila Court, Coimbatore, as against the petitioners.

4. Accordingly, this Criminal Original Petition is allowed and the complaint in C.C.No.69 of 2017 pending on the file of the Judicial Magistrate Additional Mahila Court, Coimbatore, is quashed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

raja

To

1. The Inspector of Police,
All Women Police Station (East),
Coimbatore City.
2. Judicial Magistrate,
Additional Mahila Court,
Coimbatore.

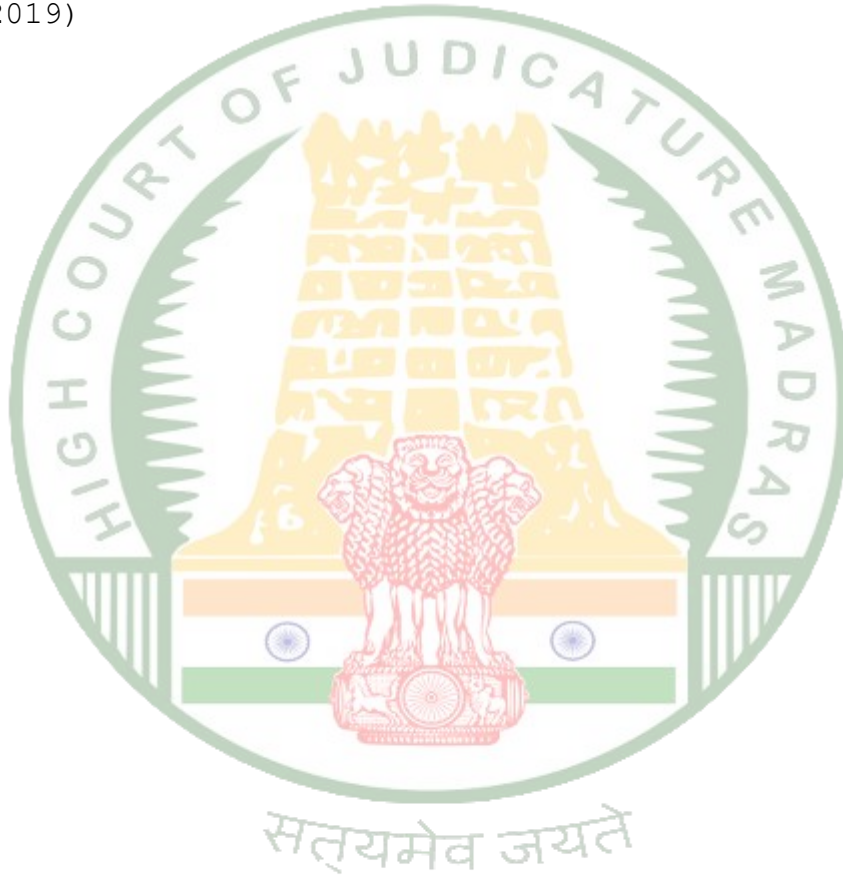
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3. The Public Prosecutor
High Court, Madras.

+1cc to Mr.C.S.Dhanasekaran, Advocate, S.R.No. 18998

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RR (CO)
GN (01/04/2019)



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