

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10604 of 2014
and Crl.M.P.Nos.1 & 2 of 2014

Chandrika Boaz

... Petitioner

Vs.

1.Aarti Boaz

2.Ajit Boaz

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records of C.M.P.No.1982 of 2014 on the file of the learned Judicial Magistrate, Alandur and to Quash the said complaint and other reliefs.

For Petitioner : Mr.P.H.Manoj Pandian

For RR1 : Mrs.Sudha Ramalingam

For RR2 : No Appearance

ORDER

This petition has been filed to call for the records of C.M.P.No.1982 of 2014 on the file of the learned Judicial Magistrate, Alandur and to Quash the said complaint and other reliefs.

2. The learned counsel for the petitioner would submit that the proceedings in in CMP.No.1982 of 2014 was quashed by this Court in respect of the second respondent in Crl.O.P.No.17255 of 2014 on 09.04.2015 as such the petitioner who is only the mother of the second respondent may be granted the same relief.

3. It is seen that in Crl.O.P.No.17255 of 2014, this Court has already quashed the proceedings in CMP.No.1982 of 2014 on 09.04.2015 in respect of the second respondent based on the joint compromise memo entered between the respondents, which is extracted hereunder:

"The petitioner and the first respondent above named submit as follows:

The petitioner has filed the above Crl.O.P. seeking to quash the first respondent's domestic violence

complaint in C.M.P.No.1982 of 2014 on the file of Judicial Magistrate Court, Alandur insofar as the petitioner is concerned. Since the dispute between the petitioner and the first respondent had been amicably settled by executing a Deed of Memorandum of Compromise dated 22.12.2014, the first respondent had no objection for quashing the domestic complaint in C.M.P.No.1982 of 2014 on the file of Judicial Magistrate Court, Alandur.

Therefore, it is prayed that this Hon'ble Court may be pleased to quash the respondent's domestic violence complaint in C.M.P.No.1982 of 2014 on the file of Judicial Magistrate Court, Alandur as against the petitioner, since the disputes between the petitioner and the first respondent has been amicably settled and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice."

4. Therefore, no useful purpose would be served, if this petition is kept pending as such this Criminal Original Petition is dismissed as infructuous. Consequently, the connected miscellaneous are closed.

Sd/-
Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

pds/lok

To
The Judicial Magistrate, Alandur.

सत्यमेव जयते

CrI.O.P.No.10604 of 2014
and CrI.M.P.Nos.1 & 2 of 2014

PPA (CO)
GMY (25/04/2019)

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