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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2021

CORAM:

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.24100 of 2021

1. Chellappan

2. Chitra Palaniappan

...Petitioners

Vs.

1. The State rep by Inspector of Police
W33-All Women Police Station,
Madhavaram, Chennai - 600002.

2.A.Iswariya

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to call for the records in FIR in Crime No.9 of 2021 on the file of the Inspector of Police, AWPS - Madhavaram, Chennai and quash the same.

For Petitioners: Mr.G.Gautam

For Respondents: Mr.E.Raj Thilak
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed to call for the records in FIR in Crime No.9 of 2021, on the file of the Inspector of Police, AWPS - Madhavaram, Chennai and quash the same.

2.The first petitioner herein is the husband and the second petitioner herein is the mother in law of the second respondent/defacto complainant. The second respondent/defacto complainant had given a complaint against the petitioners and one Parvin sheik and FIR was registered in Crime No.9 of 2021, for the offences under Sections, 498(A), 294(b) and 506(1) IPC, on 21.04.2021.



3. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

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4. A consent affidavit dated 06.12.2021 has been filed by the second respondent/defacto complainant. The first petitioner and the second respondent are also present in person before this Court. In order to identify the respective parties, they have also produced the copy of the Aadhaar Card and it is made part of the record. This Court also enquired both the parties and is satisfied that the parties have come to an amicable settlement between themselves. During the enquiry in the open Court, the first petitioner and the defacto complainant, who are husband and wife, stated that the matter was settled between them and they have applied for divorce on the ground of mutual consent and the same is numbered as HMOP No.439 of 2021, on the file of the Sub Court, Ponneri, Tiruvallur.

5. Based upon the compromise between the parties, the first petitioner has transferred a property in the name of their minor son Krish Palaniappan and agreed to transfer another property at Trichy in the name of their minor son. This fact has also been agreed by the defacto complainant. With regard to maintenance, the second respondent/defacto complainant has given up her right, but with regard to their minor son, the first petitioner shall maintain him and transfer the abovesaid property also. This shows that the matter was compromised, both the parties have agreed to divorce by mutual consent and the second respondent has agreed to withdraw the complainant lodged against the petitioners. This Court accepted the reasons stated by the first petitioner and the defacto complainant.

6. This Criminal Original Petition stands allowed and as a sequel, FIR in Crime No.9 of 2021, on the file of the Inspector of Police, AWPS - Madhavaram, Chennai, is quashed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR



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To

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1. The Inspector of Police,
W33-All Women Police Station,
Madhavaram, Chennai.
2. The Public Prosecutor,
High Court,
Madras.

+1cc to M/s.A.Gautam, Advocate Sr.66764

Crl.O.P.No.24100 of 2021

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srg 04/01/2022