



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2021

CORAM:

THE HONOURABLE MRS. JUSTICE V. BHAVANI SUBBAROYAN

Crl.O.P.No.1979 of 2017

S.Johnson Manicka Rajan

...Petitioner/Accused-2

-Vs-

1. The State

Represented by The Inspector of Police,
W26, All Women Police Station,
Ashok Nagar, Chennai - 600 083.
(Crime No. 6 of 2016)

2. The Deputy Commissioner of Police,
T.Nagar, Chennai.

...Respondents/Complainants

3. P. Catherine Beaula

...3rd Respondents/Defacto
Complainant

Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the proceedings in Crime No. 6 of 2016 pending on the file of the 1st respondent police and quash the same.

For Petitioner : Mrs.M. Padmavathy

For RR 1&2 : Mr.E. Rajthilak
Counsel for Govt. of Tamil Nadu
(Criminal Side)

For R3 : Mr.R. Mubarak Basha

ORDER

This Criminal Original Petition is filed for quashing the proceedings FIR in Crime No. 6 of 2016 pending on the file of the 1st respondent police against the petitioner/A2 for the alleged offence under Section 498(A) IPC.



2. The 3rd respondent/de-facto complainant and the first accused were got solemnized as per Christian Customs on 03.12.2014 at C.S.I. Immanuel Church, Aruppukottai. After the marriage, some matrimonial disputes arose between the first accused and the defacto complainant/wife and she had given several complaints against the accused persons before the respondents 1&2 on 24.03.2016. The officials of the All Women Police Station, T.Nagar, were enquired the accused persons and registered the case against the petitioner along with three others for the offence punishable under Section 498(A) of IPC on 26.08.2016 in Crime No.6 of 2016 on the file of the W-26, All Women Police Station, Ashok Nagar, Chennai. In this regard, she has been filed the petition M.C.No.240 of 2016 before the Family Court, Chennai and the same is pending and further proceedings have been initiated by her against the accused persons. During the pendency of the above proceedings, the father of the first accused has filed this petition for quashing the FIR in Crime No.6 of 2016.

3. Today, when the matter was taken up for hearing the learned Government Advocate (Criminal Side) appearing for the respondents 1&2 would submit that there was some matrimonial dispute between the first accused and the de-facto complainant before the learned Principal District Munsif, Srivilliputtur. After obtaining divorce by them, the defacto complainant/wife got married to another man and the first accused/husband got married to another woman. Therefore, nothing survives for further adjudication in this petition.

4. Recording the above submission made by the learned Government Advocate (Criminal Side) appearing for the respondents 1&2, the Criminal Original Petition is closed as nothing survives for further adjudication.

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

msm

To

1. The Inspector of Police,
W26, All Women Police Station,
Ashok Nagar, Chennai - 600 083.
Crime No. 6 of 2016)



2. The Deputy Commissioner of Police,
T.Nagar, Chennai.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Mubarak Basha, Advocate, Sr.38733

+1cc to M/s.M.Padmavathy, Advocate, Sr.39042

Crl.O.P.No. 1979 of 2017

PMK[co]

NSK 27/08/2021