

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 4/7/2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CRL. O.P. NO.10067 OF 2022

1.R.Varadhan
2.Bhavani
3.Prabhu
4.Santhanalakshmi ...Petitioners

Vs

1.The State
Rep. By The Sub-Inspector of Police
(Law & Order)
K.10 Koyambedu Police Station
Chennai 107.

2.Pachiyappan @ Raghu ...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records pertaining to case in C.C.No.1809 of 2015 on the file of the learned V Metropolitan Magistrate, Egmore, Chennai and quash the same.

For Petitioner : Mr.G.Mohan

For Respondents : Mr.Leonard Arul Joseph Selvam
Government Advocate
(Criminal Side) for R.1.

Mr.S.Venkatesh for R.2

O R D E R

This Criminal Original Petition has been filed to quash the proceedings, pending in C.C.No.1809 of 2015, in Crime No.1121 of 2014, on the file of the learned V Metropolitan Magistrate, Egmore, Chennai, for the offences punishable under Sections 294 (b), 341, 323, 324 r/w. 34 of the Indian Penal Code.

2. The case of the prosecution is that matrimonial dispute arose, on 24/7/2014, between the fourth petitioner and her husband/second respondent/defacto complainant. Families of the petitioners and defacto complainant quarreled and attacked each

other and lodged a complaint to the first respondent Police. Based on the complaint lodged by the defacto complainant, first respondent Police registered a case in Crime No.1121 of 2014, for the offence punishable under Sections 294 (b), 341, 323, 324 r/w. 34 of the Indian Penal Code and the same was taken on file in C.C.No.1809 of 2015, which is pending for trial before the learned V Metropolitan Magistrate, Egmore, Chennai.

3. Heard Mr.G. Mohan, learned counsel for the petitioners, Mr.Leonard Arul Joseph Selvam, learned Government Advocate (Criminal Side) for the first respondent and Mr.S. Venkatesh, learned counsel for the second respondent.

4. Today, when the matter is taken up for hearing, petitioners and defacto complainant are present before this Court along with their respective counsel.

5. On enquiry, they unilaterally submitted that they have settled the disputes between them and now both the families are having cordial relationship. They have filed a Joint Compromise memo, to quash the case pending in C.C.No.1809 of 2015, on the file of the learned V Metropolitan Magistrate, Egmore, Chennai.

6. Learned Government Advocate (Criminal Side) appearing for the first respondent submitted that two witnesses have been examined and chief examination is also completed before the trial Court.

7. Since both the sides have arrived at an amicable settlement and also considering the fact that the defacto complainant is not interested in prosecuting the above case against the petitioners and also considering the fact that both the fourth petitioner and second respondent/defacto complainant are living in peace for the past five years, this Court is inclined to quash the proceedings pending in C.C.No.1809 of 2015.

8. Accordingly, this Criminal Original Petition is allowed and C.C.No.1809 of 2015, pending on the file of the learned V Metropolitan Magistrate, Egmore, Chennai, is quashed, based on the joint compromise memo filed by the parties. Joint memo of compromise shall form part of the records.

Sd/-

Assistant Registrar(CS-VIII)

// True Copy //

Sub Assistant Registrar

mvs.

To

1.The V Metropolitan Magistrate,
Egmore, Chennai

2.The Sub-Inspector of Police
(Law & Order)
K.10 Koyambedu Police Station
Chennai 107.

3.The Public Prosecutor
High Court, Madras.

+2ccs to M/s.G.Mohan, Advocate Sr.No.42740

Crl.O.P.No.10067 of 2022

PMK(CO)
RVM(19/07/2022)