



Crl.O.P.No.3525 of 2021

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2023

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3525 of 2021

and

Crl.M.P. No.2057 of 2021

1.R.Srileelavathi @ Sindhu

2.Gajendiran @ Thanavanthan

3.G.Kasturi

4.P.Yogalakshmi

... Petitioners

Vs.

R.Ramesh Kumar

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records in C.C.No.82 of 2020 pending on the file of the Learned Judicial Magistrate, Vanur and quash the same.



Crl.O.P.No.3525 of 2021

WEB COPY

For Petitioners : Mr.V.S.Senthilkumar

For Respondent : Mr.A.Rameshmanikandan

ORDER

The complaint in C.C.No.82 of 2020 has been filed by the husband / respondent herein against his wife and his in-laws for the alleged offences under Sections 294(b), 420, 506 (i), 511 r/w 120 (B) of the IPC.

2. The allegation in the complaint pertains to certain matrimonial disputes between the husband and wife. The complainant claims that he had spent money towards marriage expenses and the respondents / accused family members (petitioners herein) cheated and obtained money to an extent of a sum of Rs.15,00,000/-, which includes the Gold ornaments, which were gifted by the complainant to his wife.



Crl.O.P.No.3525 of 2021

WEB COPY

3. The learned counsel for the petitioners would submit that after the filing of the complaint, the parties had arrived at a compromise and have mutually separated by consent in H.M.O.P.No.452 of 2020 on the file of the Family Court, Puducherry. Pursuant to the compromise they arrived at D.V.C.No.56 of 2020 on the file of the Judicial Magistrate IV, Puducherry filed by the 1st petitioner / wife was also withdrawn.

4. The learned counsel for the complainant / husband submits that the parties have now arrived at settlement and have no objection for quashing all the impugned complaints. This Court finds on a reading of the complaint that the allegation seems to be that gifts and money given to the wife during the pendency of marriage was cheated by her. This would not amount to cheating by any stretch of



Crl.O.P.No.3525 of 2021

imagination. There is no other allegation which would attract offences under Section 294 (b) and 506 (i) of IPC. The money given to the wife as gift and for purchase of jewels cannot be said to be as a result of any deception attracting the offence under Section 420 of the IPC.

5. In any case, the parties have now arrived at a compromise and the complaint filed by the complainant / husband in C.C.No.82 of 2020, Judicial Magistrate Court at Vanur, Villupuram, is liable to be quashed and accordingly quashed. The Criminal Original Petition is allowed. Consequently, the connected Miscellaneous Petition is closed. No costs.

15.03.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
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Crl.O.P.No.3525 of 2021

To

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The Judicial Magistrate Court at Vanur,
Villupuram.



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Crl.O.P.No.3525 of 2021

SUNDER MOHAN. J,

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