



WEB COPY



Crl.O.P No.21233 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2023

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.21233 of 2019

1.U.Vijay

2.R.Unnikrishan

3.Sarojini

4.U.Ajay

...

Petitioners/Accused

Vs.

1. State Represented by

The Inspector of Police,

AWPS W-17

K5 Pervallur Police Station/

Pulianthope, Chennai District.

2.Sreejitha

... Respondent/complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records in FIR in Cr.No.05 of 2015 on the file of W-17 All Women Police Station the 1st respondent herein and quash the same.

For Petitioners : Mr.K.Chandru

For Respondents : Mr.A.Gopinath,
Government Advocate (Crl.Side) for R1
: No appearance for R2.



ORDER

This Criminal Original Petition has been filed to quash the proceedings in FIR in Cr.No.05 of 2015 on the file of first respondent police.

2. On the complaint given by the 2nd respondent, a case has been registered in Crime No.05 of 2015 of W-17 All Women Police Station for the offences under Sections 498(A) r/w 34 IPC against the petitioners herein.

3. The 1st petitioner is the husband of the 2nd respondent/de-facto complainant; the 2nd petitioner and 3rd petitioner are the parents of the 1st petitioner and the 4th petitioner is the brother of the 1st petitioner.

4. The learned counsel for the petitioners submitted that the parties have amicably settled the matter between themselves and an affidavit is filed on behalf of second respondent evidencing the same.

5. When the matter was taken up for hearing today, the 1st petitioner and the 2nd respondent/de-facto complainant were present and they were identified by their respective counsels and the first respondent. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6. It is learnt that the parties have dissolved their marriage by mutual consent vide H.M.O.P No.1569 of 2016 on the file of the 1st Additional



WEB COPY

Family Court at Chennai on 07.08.2019. Since the parties had dissolved their marriage and severed their relationship, they had chosen to put an end all the litigations pending between themselves. Hence, I feel it is appropriate to allow them to live in peace and choose their own way without making any interference in each other's life.

7. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujraath)**, this Court feels it is appropriate to exercise its power under Section 482 Cr.P.C. to quash the proceedings in Crime No.26 of 2020, on the file of the 1st respondent.

8. In the result, this Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.05 of 2015 on the file of the 1st respondent, is quashed. The affidavit filed by the second respondent dated 10.01.2023 shall form part of this Order. Consequently, connected Miscellaneous Petition is closed.

10.01.2023

jrs

R.N.MANJULA, J.,

jrs

Index : Yes/No



WEB COPY



Crl.O.P No.21233 of 2019

Speaking Order : Yes/No
Internet : Yes/No
Neutral : Yes/No

To

1. The Inspector of Police,
AWPS W-17,
K5 Pervallur Police Station/
Pulianthope, Chennai District.
2. The Public Prosecutor,
High Court of Madras.

Crl.O.P No.21233 of 2019

10.01.2023