



Crl.O.P.No.10127 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.10127 of 2024

1.P.V.Balaji

2.P.V.Vasanth Kumar

3.P.Manjula Devi

... Petitioners

Vs.

1.The State Rep.by

The Inspector of Police

W-3, AWPS, Poonamallee,

Thiruvallur

2.V.G.Prabhakaran

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to call for records in C.C.No.620 of 2023, pending on the file of the Judicial Magistrate/Additional Mahila Court at Chengalpattu and quash the same as against this petitioners.

For Petitioners : Mr.K.M.Balaji

For R1 : Mr.S.Udayakumar
Government Advocate (Crl.Side)



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ORDER

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P.V.Balaji and P.Premsoopriya got married on 26.11.2020. After few months of the marital life discorded between them, leading to filing of a criminal complaint by the father of the Premsoopriya against her husband and in-laws. The said complaint after investigation has led to filing of final report before the Judicial Magistrate/Additional Mahila Court, Chengalpattu and taken on file in C.C.No.620 of 2023. Meanwhile, a divorce petition been initiated by P.V.Balaji. Domestic violence case and Maintenance Case been initiated by Premsoopriya.

2. At this juncture, they were decided to bury their dispute and get separated mutually. Accordingly both have jointly filed petition under Section 13B of Hindu Marriage Act for divorce by mutual consent and also Premsoopriya has withdrawn her Maintenance case and DVC. So far C.C.No.620 of 2023, which is pending trial for offence under Sections 498A, 342, 323, 109 r/w 34 IPC and Section 4 of Dowry Prohibition Act. The defacto complainant, his daughter Premsoopriya and the accused persons want to give quietus and Joint Memo of Compromise been filed along with affidavit to withdraw the complaint.



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3. Since the offences are non compoundable, the trial Court has not passed any order in the Joint Memo of Compromise. Hence the petition is filed seeking quash of the final report. The parties are present today. Affidavit of Mr. V.G.Prabhakaran who is the defacto complainant in Crime No.30 of 2021 dated 15.11.2021, which has culminated in C.C.No.620 of 2023 indicates that the members of both family have arrived at a composite settlement of dispute. Hence, want to close the criminal case initiated by him.

4. Taking note of the nature of the complaint and the intention of the parties to settle the dispute which will give quietus to their matrimony and allow them to proceed their life peacefully as per their wish, in exercise of power under Section 482 of Cr.P.C., the Criminal Original Petition to quash is allowed. C.C.No.620 of 2023 on the file of the Judicial Magistrate/Additional Mahila Court, Chengalpattu stands quashed.

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Index : Yes/No

Neutral Citation : Yes/No

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Dr.G.JAYACHANDRAN,J.

rpl

To

1.The Judicial Magistrate/Additional Mahila Court, Chengalpattu

2.The Inspector of Police
W-3, AWPS, Poonamallee,
Thiruvallur

2.The Public Prosecutor,
High Court of Madras, Chennai-600 104.

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