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Crl.O.P.No.16205 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2024

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.16205 of 2022
and
Crl.M.P.Nos.9278 & 9279 of 2022

M.Arun

... Petitioner

Vs.

1.State Rep. by
The Inspector of Police,
All Women Police Station,
Vadapalani, Chennai-600 026.

2.Rosy

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records in connection with C.C.No.8417 of 2017 on the file of XVII Metropolitan Magistrate, Saidapet, Chennai and quash the same.

For Petitioners : M/s.S.Vidya

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

For R2 : Ms.D.Kalaivani



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ORDER

This petition has been filed to quash the C.C.No.8417 of 2017 on the file of XVII Metropolitan Magistrate, Saidapet, Chennai, in which cognizance was taken for the offence punishable under Section 498-A, 294(b) and 506(ii) of IPC.

2. The learned counsel for the petitioner submitted that already the matter was referred to mediation and an understanding were reached, in which the 2nd respondent / defacto complainant agreed to withdraw all the allegations in C.C.No.8417 of 2017 pending before the learned XVII Metropolitan Magistrate, Saidapet, Chennai. Subsequently, a petition for mutual consent was also filed by the petitioner / 1st accused and 2nd respondent / defacto complainant in FCOP.No.2960 of 2022 and granted divorce on 29.07.2022, before the learned I Additional Family Judge, Chennai. He further submitted that based on the order passed in petition to quash the FIR, and the same was allowed, hence the C.C.No.8417 of 2017 was disposed on 28.02.2023, therefore, nothing survives in this petition. To that effect memo also filed by the petitioner before this Court.



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3. When the matter is taken up for hearing today, the petitioner and the 2nd respondent / defacto complainant appeared in persons along with their respective counsels. The defacto complainant stating that she is not inclined to proceed with the matter further and she has no objection to quash the proceedings.

4. Considering the submission made by the defacto complainant and also considering the memo filed by the petitioner in this regard, this Court is inclined to quash the C.C.No.8417 of 2017 on the file of XVII Metropolitan Magistrate, Saidapet, Chennai.

5. Accordingly, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

14.03.2024

Index: Yes/ No
Neutral Citation: Yes/No

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T.V.THAMILSELVI, J.

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To

- 1.The Inspector of Police,
All Women Police Station,
Vadapalani, Chennai-600 026.
- 2.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.16205 of 2022
and
Crl.M.P.Nos.9278 & 9279 of 2022

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