

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2016

CORAM:

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. No.24708 of 2016 and Crl.M.P. No.11882 of 2016

Mariyammal

Petitioner

Vs.

1 The Inspector of Police
Annamalai Nagar Police Station
Chidambaram
Cuddalore District
(Crime No.294 of 2016)

2 Muralidharan

Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, seeking to call for the records in FIR in Crime No.294 of 2016 pending on the file of the first respondent police and quash the same.

For petitioner Mr. Sagadevan

For R1

Mr. C. Emalias

Additional Public Prosecutor

For R2

Mr. C. Ravi

ORDER

This Criminal Original Petition has been filed seeking to call for the records in FIR in Crime No.294 of 2016 pending on the file of the first respondent police and quash the same.

2 For the sake of convenience, the parties are referred to by their name.

3 On the complaint lodged by Muralidharan, the first respondent police registered a case in Crime No.294 of 2016 under Section 307, IPC on 17.07.2016 against his wife Mariyammal.

4 It is the case of Muralidharan that Mariyammal suspected his fidelity and poured petrol on him and tried to set him on fire.

5 Now, it appears that Muralidharan and Mariyammal have arrived at a compromise.

6 Today, both Muralidharan and Mariyammal are present and are identified by Mr. V. Sankar, PC-987, Annamalai Nagar Police Station, Chidambaram, who is also present before this Court.

7 In normal circumstances, this Court will not quash an FIR under Section 307, IPC. But, in this case, the dispute is between spouses and they have buried their differences and have started to live together.

8 Muralidharan has filed an affidavit, wherein, he has stated as under:

"1. I state that the first respondent police had registered a FIR in Crime No.294/2016 against the petitioner on 17.07.2016 for an offences under Sections 307 of IPC based on the complaint given by me against wife. The FIR in Crime No.294 of 2016 may be treated as part and parcel of this affidavit by this Hon'ble Court.

2. I state that my wife has filed this quash petition to quash the FIR in Crime No.294 of 2016 by this Hon'ble Court. I state that the FIR in Crime No.294 of 2016 pending on the file of the first respondent police may be quashed by this Hon'ble Court based on the compromise arrived between us since the petitioner and the de facto complainant are being the wife and the husband and further, we are living together and further I want to compromise the above said case for which I also had given consent to quash the FIR based on the compromise arrived between us.

3. I state that based on the compromise the FIR may be quashed by this Hon'ble Court since the dispute between me and the petitioner has been settled by means of a compromise. I have already informed the first respondent police not to proceed with investigation and to close the FIR based on the compromise arrived between the parties and further stated that the dispute between us has been amicably

settled and I have no objection for quashing the FIR and other proceedings by this Hon'ble Court."

Apart from the above, Muralidharan and Mariyammal have also filed a joint compromise memo.

In view of the above, the proceedings in Crime No.294 of 2016 on the first respondent police is hereby quashed and this Criminal Original Petition is allowed. Connected CrI.M.P. is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

cad

To

1 The Inspector of Police
Annamalai Nagar Police Station
Chidambaram
Cuddalore District

2 The Public Prosecutor
High Court of Madras
Chennai 600 104

+lcc to Mr.R.Sagadevan, Advocate, S.R.No.68153

kji(CO)
BB(27/12/2016)

CrI.O.P. No.24708 of 2016

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