



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2016

CORAM

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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) No.16216 of 2016

V.Athithan .. Petitioners/Sole Accused

-vs-

1.The Inspector of Police,
All Women Police Station,
Srivilliputhur,
Virudhunagar District.
(Crime No.7/2016)

.. 1st Respondent/Complainant

2.Hemalatha .. 2nd Respondent/Defacto Complainant

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to call for the records in connection with the Crime No.7 of 2016 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.SP.Vijay Nivas
For R1 : Mr.K.Anbarasan
Government Advocate (Crl.Side)

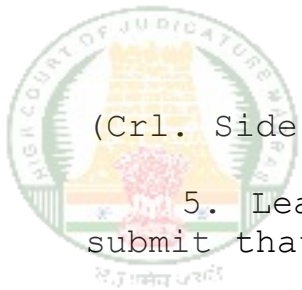
ORDER

This petition has been filed seeking to quash the FIR in Crime No.7 of 2016 on the file of the 1st respondent police.

2. It is seen that a case in Crime No.228 of 2016 for the alleged offences under Sections 498(A) and 506(1) IPC read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, on the file of the 1st respondent police, has been registered against the petitioner/sole accused.

3.The second respondent, who is the wife of the petitioner, filed a complaint against him alleging that due to family dispute, the petitioner scolded her in filthy language, abused her and threatened her from 02.09.2015 to 07.06.2016.

4. When the matter is taken up for hearing, the petitioner/sole accused and the second respondent/defacto complainant, appeared in person and their identifications were ascertained by this Court, in addition to the confirmation of the identity of the parties by the learned Government Advocate



(Crl. Side) through the respondent police.

5. Learned counsel appearing for the second respondent would submit that the matter is now compromised out of the court.

6. Further, learned counsel appearing for both parties filed a joint memo of compromise dated 29.08.2016, duly stating that since the parties have arrived at an amicable settlement by way of compromise among themselves, the second respondent has no objection to quash the FIR in Crime No.7 of 2016 on the file of the 1st respondent police.

7. Hence, in view of joint memo of compromise dated 29.08.2016, this Court is of the opinion that it can safely be said that no useful purpose would be served in keeping the matter pending.

8. Accordingly, this Criminal Original Petition is allowed and the entire proceedings in FIR Crime No.7 of 2016 on the file of the 1st respondent is hereby quashed.

Sd/-

Assistant Registrar (Records)

/True copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
All Women Police Station,
Srivilliputhur, Virudhunagar District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.SP.VIJAY NIVAS, Advocate, SR No.56811

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SH/SS-3:13.10.2016:2P/4C