

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.18729 of 2018

1.Ayisha

2.N.H.M.Asif Ali

.. Petitioners

Vs

1.The State of Tamil Nadu  
Rep. by The Inspector of Police,  
Peerkangaranai Police Station,  
Chengalpet.

2.Fareedha

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in Cr.No.1315 of 2017 on the file of the 1<sup>st</sup> respondent under Sections 294[b], 323 and 506[1] IPC dated 05.06.2017 and quash the same.

For Petitioners : Mr.M.Erajasimman

For 1<sup>st</sup> Respondent : Mr.C.Iyyapparaj, APP

O R D E R

This petition has been filed to quash the FIR in Crime No.1315 of 2017 pending on the file of the 1<sup>st</sup> respondent.

2.Asif Ali [2<sup>nd</sup> petitioner] got married to Fareedha on 23.08.2015 and on account of matrimonial discord, their relationship got strained. It is alleged by Fareedha that on 02.06.2017, she was assaulted by her mother-in-law and her husband and therefore, on the complaint given by her, the 1<sup>st</sup> respondent registered a case in Crime No.1315 of 2017 on 05.06.2017 under Section 294[b], 323, 506[1] IPC. Now, this petition has been filed to quash the FIR on the ground that the parties have arrived at a compromise.

3.Today, Mr.G.Marphin, HC 20393, S-14, Peerkangaranai Police Station is present before this Court. Fareedha and Asif Ali are present. They have filed a Memorandum of Understanding dated 03.07.2018, wherein, it is stated as follows :

"4.In view of the above stand taken by the party of the 2<sup>nd</sup> and 3<sup>rd</sup> parts, the party of the 1<sup>st</sup> part had condoned the act of the party of the 2<sup>nd</sup> part and the party of the 3<sup>rd</sup> part.

5.The party of the 1<sup>st</sup> part shall withdraw the criminal case filed by her against the party of the 2<sup>nd</sup> part and 3<sup>rd</sup> parts in Crime No.1315 of 2017 under Section 294[b], 323 and 506[i] IPC on the file of the Inspector of Police, Peerkangaranai Police Station, St. Thomas Mount, Chennai.

6.The party of the 1<sup>st</sup> part shall cooperate with the party of the 2<sup>nd</sup> part and 3<sup>rd</sup> part in the proceedings for quashing the FIR in Cr.No.1315 of 2017 under Section 294[b], 323 and 506[i] IPC on the file of the Inspector of Police, Peerkangaranai Police Station, St. Thomas Mount, Chennai.

7.The party of the 3<sup>rd</sup> part had already taken steps for setting up a separate residence for his wife and himself and he also undertakes to lead a happy and peaceful married life with the party of the 1<sup>st</sup> part."

4.In view of the above, the entire FIR in Crime No.1315 of 2017 as against both the accused are hereby quashed, on condition that the petitioners pay a sum of Rs.1,000/- each to the credit of the Chief Justice Relief Fund [payable in Accounts Section of the High Court Registry], within a period of two weeks from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

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To

1.The Inspector of Police,  
Peerkangaranai Police Station,  
Chengalpet.

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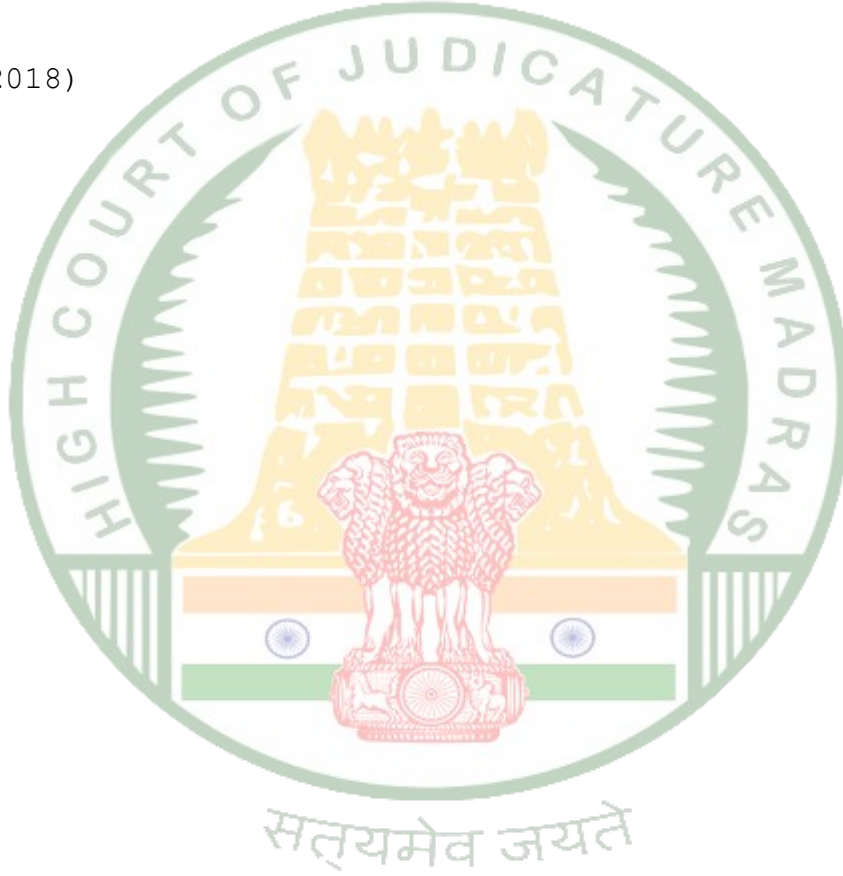
2.The Section Officer,  
Accounts Section,  
High Court, Madras.

3.The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.M.ERAJASIMMAN, Advocate, S.R.No. 50098

CRL.O.P.No.18729 of 2018

EV(CO)  
TR(03/08/2018)



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