

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 12.12.2018

CORAM:
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.4383 of 2017
and Crl.M.P.No.3274 of 2017

Prahibha ...Petitioner/Accused-4
Vs.

1.The State rep by
The Inspector of Police,
W-8, All Women Police Station,
Thirumangalam,
Chennai-600 101. 1st Respondent/Complainant

2.P.Pavithra ...2nd Respondent/ Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to call for the records relating to the proceedings in C.C.No.3536 of 2015 on the file of XIII Metropolitan Magistrate, Allikulam, Chennai and quash the same.

For Petitioner : Mr.K.Chandramohan

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

For R2 : Mr.N.Velmurugan

O R D E R

This petition has been filed seeking to quash the proceedings in C.C.No.3536 of 2015, on the file of XIII Metropolitan Magistrate, Allikulam, Chennai.

2 The petitioner has been arrayed as A4 in the final report filed by the respondent police for the offences under Section 498 A, 406, 420 and 506(i) of IPC. The defacto complainant namely P.Pavithra was present before this Court and she categorically stated that the matter has been amicably settled and there is no need to proceed further with the case.

3 A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4 Under such circumstances, no useful purpose will be served in keeping the First Information Report pending. Even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in 2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.30 of 2014.

5 This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.3536 of 2015, on the file of the XIII Metropolitan Magistrate, Allikulam, Chennai is quashed and in terms of Memo of Compromise which shall form part and parcel of this order. Consequently, connected miscellaneous petition is also closed.

* Enclosed Xerox copy of the compromise Memorandum

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rpl

To

1.The XIII Metropolitan Magistrate,
Allikulam, Chennai

2.The Inspector of Police,
W-8, All Women Police Station,
Thirumangalam,
Chennai-600 101.

3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.P.Raja, Advocate, S.R.No.85765

+lcc to Mr.N.Velmurugan, Advocate, S.R.No.87045

CrI.O.P.No.4383 of 2017

RSI (CO)

rrs 09/01/2019