

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.29363 of 2018

1.A.Arjun Ramaswamy
2.A.Lalitha
3.A.Arun Ramakrishnan

... Petitioners

Vs.

1.State of Tamil Nadu,
rep by Inspector of Police,
W-35, All Women Police Station,
Tambaram,
Chennai.
(Crime No.25 of 2017)

2.A.Aishwarya

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the case in Crime No.25 of 2017, pending on the file of the Inspector of Police, W35 All Women Police Station, Tambaram, Chennai and to quash the same.

For Petitioners : Mr.K.Subbu Ranga Bharathi

For R-1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.25 of 2017, on the file of the first respondent police, for an alleged offence under Sections 498(A), 294(b) and under Section 4 of Tamil Nadu Prohibition Women Harassment Act 2002.

2. The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Memo of Compromise has been filed before this Court which has been signed by the petitioners and the second respondent and also by their respective counsel. In order to identify the respective parties they have also produced the copies of the Aadhaar Card are made part of the record. 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.25 of 2017.

5. Today, the Learned counsel for the petitioner has filed a joint memo of compromise, filed by the second respondent and the first petitioner.

6. In view of the above, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.25 of 2017, on the file of the respondent police, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order.

7. In the joint compromise memo, it is seen that the first petitioner had deposited a sum of Rs.5,00,000/- before the Judicial Magistrate, Tambaram, as per the orders passed by this Court in CrI.O.P.No.21359 of 2017. As per the compromise between the parties, the first petitioner has agreed to give permanent alimony of Rs.3,00,000/- to the second respondent. Therefore, the first petitioner seeks permission of this Court to withdraw Rs.5,00,000/- from the account of Judicial Magistrate Court, Tambaram, in order to make the payment to the second respondent. The first petitioner is directed to file an appropriate petition before the Judicial Magistrate Court, Tambaram, in this regard and the learned Judicial Magistrate, Tambaram is directed to permit the first petitioner to withdraw the amount.

sd/-

Deputy Registrar

//True copy//

Sub Assistant Registrar

ub/arb

To

1. The Judicial Magistrate, Tambaram.

2.The Inspector of Police,
W-35, All Women Police Station,
Tambaram, Chennai.

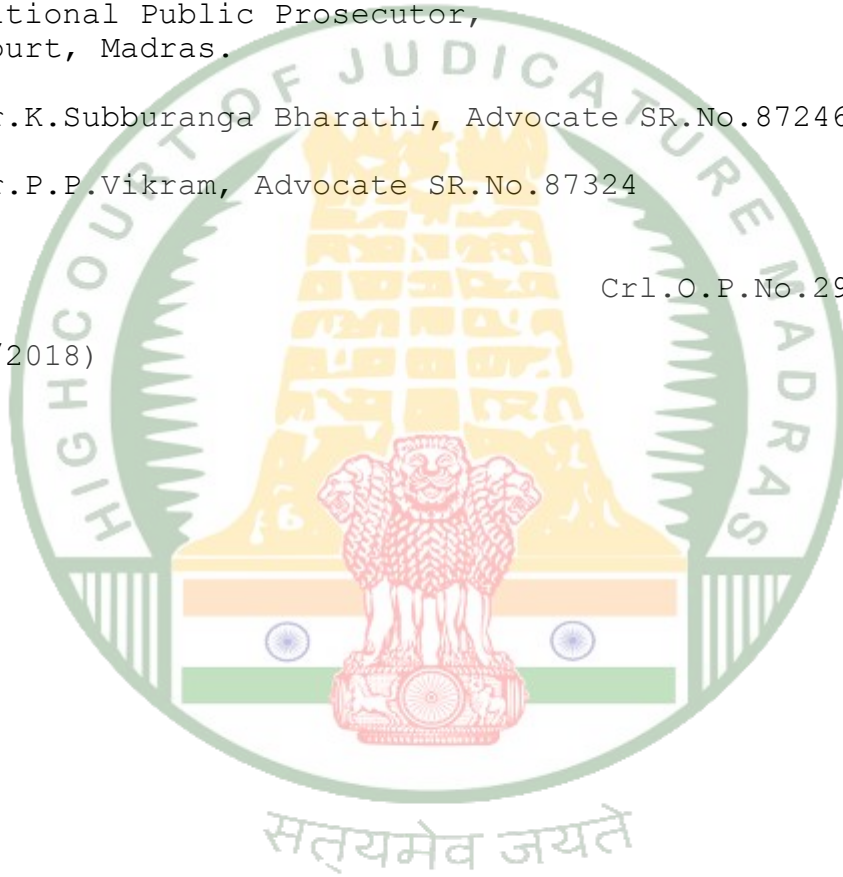
3.The Additional Public Prosecutor,
High Court, Madras.

+3cc to Mr.K.Subburanga Bharathi, Advocate SR.No.87246

+1cc to Mr.P.P.Vikram, Advocate SR.No.87324

Crl.O.P.No.29363 of 2018

GMV (20/12/2018)



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