

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.20058 of 2019
and Crl.M.P.No.10269 of 2019

1.Thamizharasi
2.Sellaperumal
3.Pushpalatha

.. Petitioners/A2 to A4

Vs.

1.State represented by,
The Inspector of Police,
All Women Police Station, Virudachalam,
Cuddalore District.
(Crime No.26 of 2018)

..1st Respondent/Complainant

2.V.Rekha

..2nd Respondents/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to call for the records in Crime No.26 of 2018 on the file of the Inspector of Police, All Women Police Station, Virudachalam and quash the same against the petitioners.

For Petitioners : Mr.B.Mohan Raj

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor (for R1)

ORDER

The Criminal Original Petition has been filed to call for the records pertaining to FIR in Crime No.26 of 2018 on the file of Inspector of Police, All Women Police Station, Virudachalam and quash the same.

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

3.The Affidavit dated 20.07.2019 has been filed by the 1st petitioner before this Court. The petitioners were also present in person before this Court. Notice was issued to the second respondent and the same was also served. The name of the second respondent was also printed in the cause list. However,

the second respondent has not chosen to appear either in person or through their counsel. In order to identify the respective parties, they have also produced the copy of the Aadhaar Card is 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 Crime No.26 of 2018 on the file of Inspector of Police, All Women Police Station, Virudachalam.

5. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.26 of 2018 on the file of Inspector of Police, All Women Police Station, Virudachalam, is quashed and the terms of affidavit shall form part and parcel of this order. The quash petition has been filed only insofar as, the petitioners are concerned. The investigation can go on insofar as A1 is concerned and the same shall be completed within a period of three months from the date of receipt of copy of this order and a final report or closure report, as the case may be, shall be filed before the appropriate Court. Consequently, connected miscellaneous petition is closed.

*Xerox copy of The Affidavit of the defacto complainant Enclosed
dt:20.07.2019

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
All Women Police Station, Virudachalam,
Cuddalore District.

2.The Public Prosecutor,
High Court,
Madras.

+2cc to Mr.B.Mohan Raj, Advocate SR.72597

Cr1.O.P.No.20058 of 2019

SV(CO)
CB(03/10/2019)