

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 31.10.2019
CORAM
THE HONOURABLE MR. JUSTICE M.S. RAMESH
Crl.O.P.No.28805 of 2019

Kamal @ Chella

...Petitioner/Single Accused

Vs

1.The State rep by

The Inspector of Police,

K-6 T.P.Chathiram Police Station,

Chennai.

... 1st Respondent/Complainant

2.Kanniyammal

...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records pending on the file of the first respondent police namely the Inspector of Police, K-6 T.P.Chathiram Police Station, Chennai in Crime No.76 of 2019 and quash the criminal proceeding.

For Petitioner : Mr.E.Kannadasan

For Respondents: Ms.Saratha Devi.V for R1

Government Advocate (Crl.side)

O R D E R

This Criminal Original Petition is filed to call for the records pending on the file of the first respondent police namely the Inspector of Police, K-6 T.P.Chathiram Police Station, Chennai in Crime No.76 of 2019 and quash the criminal proceeding.

2. Section 307 of IPC is one among the offences for which the petitioner herein has charged. In normal circumstances, this Court may not interfere and have the lower court proceedings, quashed on the ground of compromise. Nevertheless, the fact reveals that there was a matrimonial dispute between the petitioner's sister and her husband. While trying to amicably resolve the dispute, a wordy quarrel arose and the offence under Section 307 of IPC is alleged to have been committed. The petitioner has filed an affidavit stating that the family

members have advised the complainant to settle the dispute amicably with the petitioner since the life of the petitioner's sister is involved. In this background, this Court is constrained to take a lineant view in the matter.

3. It is stated by the learned counsel for the petitioner that pending the criminal complaint against the petitioner herein, the parties have amicably resolved the disputes among themselves and the son of the defacto complainant has filed an affidavit dated 31.10.2019 before this Court.

4. A Joint Compromise Memo dated 03.06.2019 is filed by the petitioner and her counsel.

5. The second respondent / defacto complainant is also filed an affidavit dated 03.07.2019 to that effect.

6. Both the defacto complainant and the petitioner are present before this Court today. In order to identify the respective parties, they have also submitted the photo copies of their Aadhar Cards and the same has been made part of the record.

7. Recording the statements made in the Joint Compromise Memo dated 03.06.2019 and the above said affidavit dated 03.07.2019, the proceedings in Crime No.76 of 2019 on the file of the first respondent/ the Inspector of Police, K-6 T.P.Chathiram Police Station, Chennai, is quashed.

8. The Criminal Original Petition stands allowed accordingly.

Sd/-
Assistant Registrar(Insp.Cell)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

vkr

To

1.The Inspector of Police,
K-6 T.P.Chathiram Police Station,
Chennai.

2.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.E.Kannadasan, Advocate sr.90787

CrI.O.P.No.28805 of 2019

pvs (co)
nr 14/11/2019



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