

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2019

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.30414 of 2018

G.Partha Sarathy

... Petitioner/Sole Accused

Vs.

1. State Rep. by

The Inspector of Police,
All Women Police Station,
Poonamallee,
Thiruvallur District.

..Respondent / Complainant

2.Deepa

.... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the FIR in Crime No.18 of 2018 on the file of the first respondent police.

For Petitioner : Mr.K.Gandhi Kumar

For Respondents : Mr.M.Mohamed Riyaz,

Additional Public Prosecutor for R1

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.18 of 2018, on the file of the respondent police, for an alleged offences under Sections 354 A (1) (i), 354 B, 506 (ii) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women (Amended) 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 dated 26.11.2018 entered into between the parties which have been signed by the petitioner and the second respondent and also the letter given by the defacto complainant on 27.11.2018 have been filed before this Court . 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.18 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.18 of 2018, on the file of the respondent police, is hereby quashed and the terms of Joint Memo of Compromise and the letter given by the defacto complainant shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,500/- (Rupees One Thousand and Five Hundred only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), within a period of one week 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(CCC)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
All Women Police Station,
Poonamallee,
Thiruvallur District.

2.The Public Prosecutor,
High Court, Madras.

Copy to

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

4.The Section Officer,
Criminal Section,
High Court, Madras.

+2cc to Mr.K.Gandhi Kumar, Advocate, S.R.No.4123

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SAI(CO)
GSP(12/02/2019)