



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P. (MD) .No.13267 of 2019

WEB COPY

1. Sahayaraja
2. Felix Femando
3. Maria Sundari
4. Selva Poombhavai ... petitioners/A1 to A4

Vs.

- 1.The State through
Inspector of Police,
All Women Police Station,
Thoothukudi.
(Crime No.17 of 2019) ... 1st respondent/Complainant

2. Suganthini ... 2nd respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the Crime No.17 of 2019, on the file of the 1st respondent police and quash the same.

For petitioners: Mr.S.J. Chakkaravarthy
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. side)
For R-2 : Mr.B. Muneeswaran

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.17 of 2019, on the file of the 1st respondent police, for an alleged offences under Sections 498(A), 294(b), 506(i) of I.P.C and Section 4 of Dowry Prohibition Act, 1961 and Section 4 of Tamilnadu Prohibition of Harassment of Women 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 have been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by M/s.A.K. Latha, Sub-Inspector of Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement

<https://hccwebcourts.gov.in/cases/>



4. Under such circumstances, no useful purpose will be served in keeping the First Information Report is pending before the respondent police. 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.17 of 2019 pending on the file of the first respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.17 of 2019, on the file of the first respondent police, is quashed and the terms of affidavit of the defacto complainant which shall form part and parcel of this order. The petitioners shall pay a sum of Rs.5000/- (Rupees Five Thousand 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 (AD I)

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox copy of joint compromise memo
ksa

To

1. The Inspector of Police,
All Women Police Station,
Thoothukudi.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.

3.The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court, Madurai

+2 CC to M/s.S.J.CHAKKARAVARTHI, Advocate (SR-91760[F] dated 14/10/2019)

Crl.O.P.(MD).No.13267 of 2019
14.10.2019

KM/(31.10.2019) 2P 6C