

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.No.1430 of 2020
and
Crl.M.P.No.861 of 2020

M.Praveen Kumar ...Petitioner/Accused

vs.

1.The State Rep. by,
The Inspector of Police,
Salem Railway Station Police Station,
Salem. ... 1st Respondent/Complainant

2. Subhulakshmi ... 2nd Respondent/de-facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records to quash the FIR in Cr.No.186 of 2019.

For Petitioner : M/s.A.Ajimath Begam

For Respondents: Mr.M.Mohamed Riyaz,
Additional Public Prosecutor (for R1)
: M/s. Vishnuraj Sugathan (For R2)

ORDER

This Criminal Original Petition has been filed to call for the records to quash the FIR in Cr.No.186 of 2019.

2. Based on the complaint lodged by the second respondent, the first respondent has registered an FIR in Crime No. 186 of 2019 against the petitioner herein under Sections 354-A of IPC, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section 4(1) (i) of Tamil Nadu Prohibition Act.

3.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.

4. A Counter Affidavit has been filed before this Court which has been signed by the 2nd respondent/ defacto complainant and also by the counsel for the petitioner. The petitioner and the 2nd respondent are present in person before this Court. In order to identify the respective parties, they have also

produced the copies of the Aadhar Card and they are made part of the record. In the Counter Affidavit, it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.186 of 2019. This Court also enquired both the parties and satisfied that the parties have come to an amicable settlement between themselves.

5. 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 Gujraht), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., inclined to quash the First Information Report in Crime No. 186 of 2019.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.186 of 2019, on the file of the 1st respondent police, is quashed and the terms of Counter Affidavit shall form part and parcel of this order. Consequently connected Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

Ebsi

To

1.The Inspector of Police,
Salem Railway Station Police Station,
Salem.

2. The Public Prosecutor, High Court, Madras.

+1cc to Mr.A.Ajimath Begum, Advocate, S.R.No. 5167

CrI.O.P.No.1430 of 2020
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BS (CO)
GN(27/02/2020)