

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6418 of 2020 and Crl.M.P No.3544 of 2020

Kalyana Sundaramurthy
(Male/A-47 years)
S/o.Subramaniam
4, 4th Cross Street,
Govardhanagiri
Avadi, Chennai-600 071.

...Petitioner/Sole Accused

Vs.

State represented by,
The Inspector of Police,
T6-Avadi Police Station
Chennai.
(Crime No.688 of 2018)

...Respondent/Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in Crime No.688 of 2018 pending investigation on the file of Inspector of Police, T6-Avadi Police Station, Chennai and quash the same.

For Petitioner : Mr.S.Suresh

For Respondent : Mr.S.Karthikeyan

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the F.I.R in Crime No.688 of 2018 on the file of the Inspector of Police, T6-Avadi Police Station, Chennai.

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. An affidavit dated 25.07.2020 has been filed before this Court which has been signed by the de-facto complainant and also by her counsel and it is extracted hereunder:

"I submit that a case was registered in Crime No.688 of 2018 u/s.174 Cr.P.C thereafter during enquiry on a frustrated and aggravated state of mind I gave a statement before the 1st respondent alleging that my son-in-law was the reason for the suicide of my daughter. Based on my 161 statement the offence in the said case was altered from 174

Cr.P.C to 306 IPC arraying my son-in-law as the accused. At present, I am living with my grand children in the house of my son-in-law Kalyana Sundaramurthy/Accused and he's taking care of my entire family. Due to the sudden demise of my daughter when no fault on my son-in-law/quash petitioner herein I made such statement before the 1st respondent herein at present after realizing the entire fact I am not interested in perusing on my statement and complaint in this case".

4. This Court also enquired both the parties and was 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. quashes the First Information Report in Crime No.688 of 2018.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.688 of 2018, on the file of the Inspector of Police, T6-Avadi Police Station, Chennai, is quashed and the terms of affidavit filed by the de-facto complainant shall form part and parcel of this Order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Uma

To

1.The Inspector of Police,
T6-Avadi Police Station
Chennai

2.The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.6418 of 2020 and
Cr1.M.P No.3544 of 2020

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