

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.OP.No.16802 of 2017
and
Crl.M.P.No.10330 of 2017

1.S.Mohanakrishnan
2.S.Sivarram
3.S.Paravathi
4.S.Unnikrishnan

...Petitioners

Vs.

1.The Inspector of Police
W-27, Vadapalani Police Station
Chennai.

2.The Inspector of Police
W-25, T.Nagar Police Station
Chennai.

3.N.E.Rajeswari

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to FIR.No.10/2017 pending on the file of the Inspector of Police, W-27, Vadapalani Police Station, Chennai and quash the same and pass appropriate orders.

For Petitioners : Mr.M.Sriram

For Respondents : Mr.M.Mohamed Riyaz for R1 & R2
Additional Public Prosecutor

: Mr.S.Saravanan for R3

O R D E R

This Criminal Original Petition has been filed to call for the records pertaining to FIR.No.10/2017 pending on the file of the Inspector of Police, W-27, Vadapalani Police Station, Chennai and quash the same and pass appropriate orders.

2. Based on the complaint lodged by the third respondent an FIR in Cr.No.10 of 2017 against the petitioners herein under Section 498 (A) IPC.

3. This 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 joint compromise memo dated 26.02.2020 has been filed by the petitioners before this Court. The petitioners and the third respondent also present in person before this Court and they are identified by the first respondent. In order to identify the respective parties they have also produced the copies of the Identity Card viz., Aadhar Cards respectively and the same are made part of the record. In the compromise memo, it has been stated that the petitioners and the third respondent had entered into a compromise and amicably settled their issues in Crime No.10 of 2017. 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 offence involved is 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., inclined to quash the First Information Report in Crime No.10 of 2017.

6. In the result, this Criminal Original Petition is allowed and as a sequel, the proceedings in Crime No.569 of 2018, on the file of the 1st respondent police, is quashed and the terms of memo of compromise shall form part and parcel of this order. Consequently, connected Miscellaneous Petition is closed.

*The xerox copy of the Memo of compromise enclosed.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

dna
To

1.The Inspector of Police
W-27, Vadapalani Police Station
Chennai.

2.The Inspector of Police
W-25, T.Nagar Police Station
Chennai.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Sriram, Advocate SR.17449

+1cc to Mr.S.Saravanan, Advocate SR.16859

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CB(18/06/2020)