

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.No.2240 of 2021

&

CRL.MP.No.1042/2021

1 K.Shobanapriya
2. K.Anandhi
3. S.Kothandan

...Petitioners

Versus

1.The State represented by its
Inspector of Police,
C-5, Mangalam Police Station,
Thiruvannamalai district.
Crime No.2 of 2020 ...1st Respondent/Complainant

2.Muthulakshmi ...2nd Respondent/Defacto-Complainant

This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code praying to call for the records in FIR No.2 of 2020 pending on the file of the C-5 Mangalam Police Station, Tiruvannamalai District and quash the same.

For Petitioner : M/s.Shaikh Mehrunisa Kasim

For Respondents : Mr.C.Raghavan for R1
Government Advocate
(Crl. Side)

WEB COPY
O R D E R

The Criminal Original Petition has been filed to quash the FIR in Crime No.2 of 2020, pending on the file of the 1st respondent.

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. The Affidavit dated 04.11.2020 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present before this court at the time of hearing and they were identified by Mr.Aadhars, Sub Inspector of Police, C-5, Mangalam Police Station, Thiruvannamalai. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and it is made part of the record. In the affidavit it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.2 of 2020. 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 Gujrat), and after exercising due caution as advised by the Hon'ble Supreme Court in The State of Madhya Pradesh v. Dhruv Gurjar and Another reported in (2019) 2 MLJ CrI 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.2 of 2020, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.2 of 2020, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. [The petitioner shall pay a sum of Rs.1500/- (Rupees One Thousand Five Hundred only) as costs, to the credit President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157), 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]. Consequently, the connected Miscellaneous Petition is also closed.

*Xerox copy of the Affidavit enclosed.

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

rl1

To

1. The Inspector of Police,
C-5, Mangalam Police Station,
Thiruvannamalai district.

2.The Public Prosecutor,
High Court of Madras.

Copy to: The President,
Tamil Nadu Advocates Clerk Association,
Madras High Court, Chennai.

GPL(CO)
CB(24/03/2021)

Cr1.O.P.No.2240 of 2021



WEB COPY