

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.No.1648 of 2021
and Crl.MP.No.978 of 2021

Vijay

...Petitioner/Accused

Versus

1.The State represented by its
Inspector of Police,
W-35, All Women Police Station,
Tambaram.
(Crl.No.26/2017)

... 1st Respondent/Complainant

2. Sridevi

...2nd Respondents/Defacto
Complainant

This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code praying to call for the records in Crime No.26 of 2017 on the file of the W-35, All Women Police Station, Tambaram, against the petitioner and quash the same.

For Petitioner : Mr.D.Magesh

For Respondents: Mr.C.Raghavan R1

Government Advocate (Crl. side)

O R D E R

The Criminal Original Petition has been filed to quash the FIR in Crime No.28 of 2017, 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 03.12.2020 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present before this court at the time of hearing and they were identified by Mrs. Vijayakumari, Inspector of Police, W-35, All Women Police

Station, Tambaram. 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 petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.26 of 2017. 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 Gujrath), 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 Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.26 of 2017, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.26 of 2017, 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.1000/- (Rupees One 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]. Consequently, the connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rli
To

1.The Inspector of Police,
W-35, All Women Police Station,
Tambaram.

2.The Public Prosecutor,
High Court of Madras.

3. The Section Officer,
Accounts Section,
High Court, Madras.

+1 cc to M/s.D.Magesh, Advocate Sr.No. 9163

CrI.O.P.No.1648 of 2021
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SKY (CO)
RMP (16/03/2021)



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