

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.3521 of 2021

N.Kannan

... Petitioner/Accused

vs.

1. The State Rep. by
The Inspector of Police,
W-21, All Women's Police Station,
Industrial Estate, Guindy,
Chennai - 600 032. ...Respondent/Complainant

2. M.Saranya Respondents/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in FIR No.15 of 2020 pending on the file of the respondent Police and quash the same.

For Petitioner : Mr.Shaikh Mehrunisa

For Respondents: Mr.M.Mohammed Riyaz
Additional Public Prosecutor for R1

ORDER

The Criminal Original Petition has been filed to call for the records in FIR No.15 of 2020 pending on the file of the respondent Police and quash the same.

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 10.02.2021 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present and they were identified by Ms.Arputham, Head Constable, W-21, All Women's Police Station, Industrial Estate, Guindy, Chennai - 600 032. 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.15 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 Cr1 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.15 of 2020 pending on the file of the Inspector of Police, W-21, All Women's Police Station, Industrial Estate, Guindy, Chennai - 600 032.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.15 of 2020, pending on the file of the Inspector of Police, W-21, All Women's Police Station, Industrial Estate, Guindy, Chennai - 600 032, is quashed and the terms of affidavit shall form part and parcel of this order. The petitioner shall pay a sum of Rs.2500/- (Rupees Two Thousand Five Hundred only) as costs, to the credit of the 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, connected miscellaneous petition is closed.

*The Xerox Copy of the Affidavit
dated 10.02.2021 enclosed

Sd/-
सत्यमेव जयते

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ssr
To

1. The Inspector of Police,
W-21, All Women's Police Station,
Industrial Estate, Guindy,
Chennai - 600 032.

2. The Public Prosecutor,
High Court, Madras.

Copy to

The President,
Tamil Nadu Advocates Clerk Association,
Madras High Court, Chennai-104.

Cr1.O.P No.3521 of 2021

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srg 31/03/2021



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