



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.3495 of 2021 and
CrI.M.P.Nos.2030 and 3807 of 2021

1. P.Chidambaram
2. K.Seetha
3. Sivagami

...Petitioners

Versus

1. State rep. by its Inspector of Police,
W-32, All India Women Police Station,
Madipakkam,
Chennai- 600 091.

2. N.Devi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in Crime No.1 of 2021 pending on the file of Inspector of Police, W-32, All Women Police Station, Madipakkam and quash the same.

For Petitioners : Mr.B.Vijay

For Respondents : Mr.E.Raj Thilak (R1)

Additional Public Prosecutor

Mr.B.Manivannan (R2)

O R D E R

The Criminal Original Petition has been filed to call for the records in Cr.No.1 of 2021 pending on the file of Inspector of Police, W-32, All Women Police Station, Madipakkam and quash the same.

2.The case of the prosecution is that the first petitioner is the estranged husband of the second respondent/defacto complainant. The marriage between the first petitioner and the de-facto complainant got solemnized on



01.12.2019 and as the petitioners tortured the de-facto by demanding more dowry, she lodged a complaint against the petitioners and the same was registered in Crime No.1 of 2021, on the file of the First Respondent.

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3.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.

4.A Compromise Affidavit deed dated 06.10.2021 has been filed by the de-facto complainant and the Mutual consent compromise deed, signed by both parties has also been filed before this Court. The petitioners and the second respondent are present before this Court. In the Compromise Affidavit, the second respondent has stated that she has no objection for quashing the criminal proceedings in Crime No.1 of 2021 pending on the file of the first respondent. In the mutual consent compromise deed it is stated that both the parties agreed to settle their claims, counter claims etc.,. 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 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.1 of 2021, on the file of the 1st respondent Police.

6.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No 1 of 2021, on the file of the 1st respondent police, is quashed against the petitioners. Consequently, the connected Criminal Miscellaneous Petitions are closed.

s/d-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar



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To

1. The Inspector of Police,
W-32, All India Women Police Station,
Madipakkam,
Chennai- 600 091

2. The Public Prosecutor,
High Court, Madras.

+8 Ccs to Mr.S. Mohammed Uduman, Advocate sr 60972.

Cr1.O.P.No.3495 of 2021

RGN(CO)
SP(21/12/2021)