

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.3895 OF 2021

1. K.Kalaiarasan, S/o.N.Kumar
2. Vimala, K W/o.Kumar
3. Kannagi, W/o.Rmahendiran .. Petitioners

vs.

1. The State Rep. by
The Inspector of Police,
W-18, All Women Police Station,
M.K.B.Nagar, Chennai.
2. Mrs.H.Hemavathi, D/o.Harikrishnan .. Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the FIR in Crime No.12 of 2019 dated 06.12.2019 on the file of the W-18 All Women Police Station, MKB Nagar, Chennai.

For Petitioners : Ms.M.Malarvizhi

For Respondents : Mr.C.Raghavan
Government Advocate for R1

ORDER

The Criminal Original Petition has been filed to call for the records and quash the FIR in Crime No.12 of 2019 dated 06.12.2019 on the file of the W-18 All Women Police Station, MKB Nagar, Chennai.

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 consent affidavit and a joint memo of compromise dated 03.03.2021 has been filed by the 1st petitioner and the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present and they

were identified by Mrs.Malarselvi, Inspector of Police, W-18, MKB Nagar, Chennai, who was also present at the time of hearing. 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.12 of 2019. 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.12 of 2019 pending on the file of the Inspector of Police, MKB Nagar, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.12 of 2019, pending on the file of the Inspector of Police, MKB Nagar, Chennai, is quashed and the terms of affidavit shall form part and parcel of this order.

* Xerox copy of Joint Memo of Compromise, dated 03.03.2021 enclosed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
W-18, All Women Police Station,
M.K.B.Nagar, Chennai.

2. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.3895 of 2021

PMK(CO)
CS/01/04/2021