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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.7367 of 2021 and
Crl.M.P.No.4907 of 2021

A.Muni Babu

... Petitioner

Versus

1. State Represented by Its
Inspector of Police,
Sholavaram Police Station,
Thiruvallur District.
(Crime No.386 of 2017).

2. Mr.Ramesh

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to FIR in Crime No.386 of 2017 on the file of Inspector of Police, Sholavaram Police Station, Thiruvallur District and quash the same.

For Petitioner : Mr.S.Arivazhagan

For 1st Respondent : Mr.A.Damodaran,
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.386 of 2017, dated 05.05.2017, on the file of the 1st respondent Police.

2.The case of the prosecution is that the petitioner and the daughter of the 2nd respondent fell in love with each other. On coming to know about the same, the 2nd respondent objected the same and prevented her daughter to meet the petitioner. Thereafter, the petitioner and other accused kidnapped the daughter of the 2nd respondent who was then minor and got married. The 2nd respondent lodged a complaint against the petitioner and other accused before the 1st respondent, which was registered in Crime No.386 of 2017 under 'Girl Missing'.

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.The Compromise Affidavit of the 2nd respondent dated 26.04.2021 and the Affidavit of the petitioner and daughter of the 2nd respondent dated 29.04.2021 have been filed before this Court. The petitioner and the 2nd respondent and his daughter were present through Video conferencing. In order to identify the respective parties they have also produced the copies of the Aadhar Card and it is made part of the record. In the affidavits it has been stated that the petitioner and the daughter of the 2nd respondent are got married and living happily without any problem and they blessed with a female baby child. 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 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.386 of 2017, on the file of the 1st respondent Police.

6.This Criminal Original Petition stands allowed and the proceedings in Crime No.386 of 2017, on the file of the 1st respondent police is quashed. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-VII)

//True copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Shovaram Police Station,
Thiruvallur District.
2. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.7367 of 2021

DCH (CO)

<https://hcservices.ecourts.gov.in/hcservices/>
RLF (13/07/2021)