



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.5407 OF 2021

AND

CRL.M.P.NO.3492 OF 2021

C.Mohana,
W/o.Chandrasekar

.. Petitioner/
Accused No.1

vs.

1. The State Represented by
The Inspector of Police,
All Women Police Station,
Madipakkam, Chennai.

... 1st Respondent/
Complainant

2. P.Chandrasekar
S/o.Perumal

... 2nd Respondent/
Defacto Complainant

Prayer:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the FIR registered against the Petitioner, Crime No.23 of 2019 on the file of the 1st respondent Police, The Inspector of Police, All Women Police Station, Madipakkam, Chennai.

For Petitioner : Mr.B.Balavijayan

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

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.23 of 2019, pending on the file of the 1st respondent.

2. The case is still at the stage of investigation. The parties have decided to bury their hatchet and compromise the dispute amicably among themselves.



3. The Affidavit dated 06.03.2021 has been filed the 2nd respondent/de-facto complainant before this Court. The petitioner and the second respondent were also present through Video conferencing and they were identified by Mrs.K.Anbarasi, Police Constable, All Women Police Station Madipakkam, who was also present at the time of hearing through Video conferencing. 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.23 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 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 FIR in Crime No.23 of 2019 pending on the file of the 1st respondent.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.23 of 2019 pending on the file of the 1st respondent Police, is quashed insofar as the petitioner and the other two accused also and the terms of affidavit shall form part and parcel of this order. Consequently, the connected Miscellaneous Petition is also closed.

* Xerox copy of Affidavit,
dated 06.03.2021 enclosed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
All Women Police Station,
Madipakkam, Chennai.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.B.Balavijayan, Advocate, S.R.No.20500

CrI.O.P.No.5407 of 2021
and CrI.M.P.No.3492 of 2021

SMI (CO)
CS/19/08/2021