

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl. OP. No.5993 of 2021
and Crl. MP No.3916 of 2021

K.Suresh

... Petitioner/Sole Accused

vs.

1. The State by:-

The Inspector of Police,
All Women Police Station,
Sankari, Salem District.

... Respondent/Complainant

2. Maithili (Minor)

Rep. By her father Vaithi,
D.No.2A, North Street-1,
Kaundampatti, Edappadi,
Salem 637 101.

... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to Crime No.4 of 2021 on the file of the All Women Police Station, Sankari, quash the same.

For Petitioner : Mr.A.Saravanan

For Respondent : Mr.C.Raghavan

Govt. Advocate (crl. Side) for R1

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.4 of 2021, pending on the file of the first respondent.

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 Joint Compromise Memo dated 10.03.2021 has been filed by the petitioner and the father of the second respondent/de-facto complainant before this Court. The petitioner, the second

respondent and the father of the second respondent were also present at the time of hearing through Video Conferencing. In the Joint Compromise Memo it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in C.C.No.4 of 2021. 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.4 of 2021, on the file of the first respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.4 of 2021, on the file of the first respondent police, is quashed and the terms of affidavits shall form part and parcel of this order. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

jv

To

1.The Inspector of Police,
All Women Police Station,
Sankari, Salem District.

2.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1cc to Mr.A.Saravanan, Advocate, S.R.No.20407

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PCH(CO)
CB(21/05/2021)