

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2021

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Cr1.O.P No.6671 of 2021

B.Ramamoorthi @ Ajith ... Petitioner / Accused

vs.

- 1.The State rep by:
The Inspector of Police,
W-18 - All Women Police Station,
M.K.B.Nagar, Chennai.
(Crime No.235 of 2020) ... 1st Respondent / Complainant
- 2.Kalaivani ... 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 entire proceedings in FIR in Crime No.235 of 2020 dated 14.03.2020, pending on the file of the 1st respondent police.

For Petitioner : Mr.R.Dinesh Kumar

For R1 : Mr.M.Mohammed Riyaz,
Additional Public Prosecutor

ORDER

(Through video conference)

This Criminal Original Petition has been filed to quash the FIR in Crime No.235 of 2020, pending on the file of the 1st respondent police.

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 22.03.2021 has been filed by the petitioner / accused and the 2nd respondent / defacto complainant before this Court. The petitioner and the 2nd respondent were also present before this Court at the time of hearing and they were identified by Mrs.Vanitha, Head

Constable, W-18 - All Women Police Station, M.K.B.Nagar, Chennai. 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 Compromise Memo, it has been stated that the petitioner and the 2nd respondent have entered into a compromise and amicably settled their issues in Crime No.235 of 2020. 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 Gujarath), 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 CrL 10. This Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the First Information Report in Crime No.235 of 2020, on the file of the 1st respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.235 of 2020, on the file of the 1st respondent police, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. [The petitioner shall pay a sum of Rs.1000/- (Rupees One Thousand only each) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry)], within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry].

Sd/-

सत्यमेव जयते
Assistant Registrar

//True copy//

Sub Assistant Registrar

ssi

To

- 1.The Inspector of Police,
W-18 - All Women Police Station,
M.K.B.Nagar, Chennai.
2. The Public Prosecutor,
High Court of Madras,
Madras.

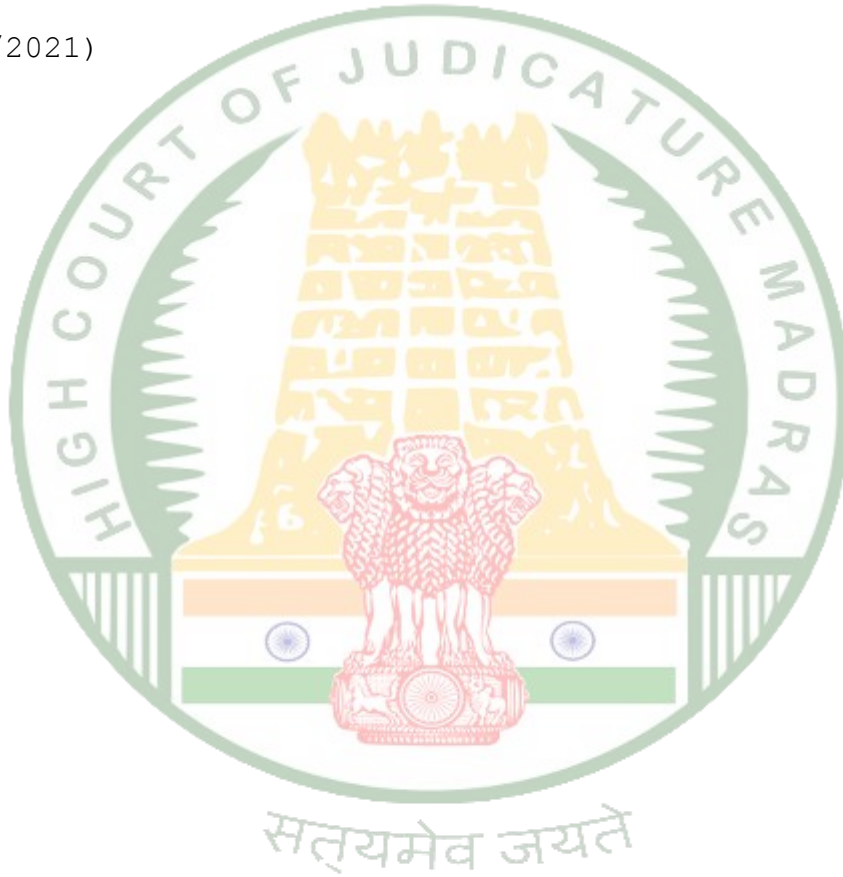
Copy To

The Section Officer,
Accounts Section,
High Court, Madras.

+1cc to Mr.R.Dinesh Kumar, Advocate SR.No.26838

Cr1.O.P No.6671 of 2021

RSV(CO)
GMY(08/07/2021)



WEB COPY