

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.6605 of 2021

Perumal ... Petitioner/Single Accused
Versus

1.The Inspector of Police,
All Women Police Station,
Kanchipuram,
Kanchipuram District.
(Crime No.2 of 2021).

...Ist Respondent/Complainant

2.Nithya ...2nd Respondents/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the case in Crime No.2 of 2021 pending investigation on the file of the 1st respondent and quash the same.

For Petitioner : Mr.K.G.Senthilkumar

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

For R2 : Mr.Kalidoss Elumalai

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.2 of 2021 on the file of the 1st respondent.

2.The 1st respondent Police registered a case in Crime No.2 of 2021 for offence under Sections 294(b) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 against the petitioner on the complaint given by the 2nd respondent.

3.During investigation, the 2nd respondent got married the petitioner on 03.03.2021 and now, they are living together as husband and wife. Since the marriage was solemnized between the petitioner and the 2nd respondent, the 2nd respondent does not want to proceed with the case further and she also made an oral request before the 1st respondent to drop action.

4.Today, the petitioner and the 2nd respondent were also present through Video conference and also their respective counsels. The petitioner and the 2nd respondent stated that they have entered into a compromise and amicably settled their issues in Crime No.2 of 2021. This Court also enquired both the

parties and was satisfied that the parties have come to an amicable settlement between themselves. The learned Additional Public Prosecutor has got no serious objection in quashing the case against the petitioner.

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 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 CrI 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.2 of 2021, on the file of the 1st respondent Police.

6. This Criminal Original Petition stands allowed and the proceedings in Crime No.2 of 2021, on the file of the 1st respondent police, is quashed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vv2
To

1. The Inspector of Police,
All Women Police Station,
Kanchipuram,
Kanchipuram District.

2. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.K.G.SenthilKumar, Advocate, SR.NO.22254

SKY(CO)
NS(10/05/2021)

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