



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No..12985 of 2021

Johnson

... Petitioner/
Accused

Versus

1.State by
The Inspector of Police,
J-8, Neelankarai Police Station,
Chennai 600 041.

..1st Respondent/
Complainant

2.Indira

... 2nd Respondent/
de facto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.1325 of 2020, on the file fo the 1st respondent and quash the same.

For Petitioner : Mr.V.Varcees Amal Raja

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

ORDER

This Criminal Original Petition is filed seeking to quash the First Information Report in Crime No.1325 of 2020, on the file of the 1st respondent Police.

2.The case of the petitioner is that he is the old age, care taker employed by 2nd respondent/defacto complainant. The petitioner demanded a hike in charges from the defacto complainant. When she refused, the petitioner abused, attacked and intimated her on 24.10.2020, in front of her house. Hence, the 2nd respondent lodged a complaint against the petitioner before the 1st respondent, which was registered in Crime No. 1325 of 2020, for the offence under Sections 294(b), 323, 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

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 23.04.2021 and the Affidavit of the petitioner dated 23.04.2021, have been filed before this Court. The petitioner and the 2nd respondent 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 affidavit, it is stated that the petitioner and the 2nd respondent were settled their issue in a peaceful manner. This Court also enquired both the parties, 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.1325 of 2020, on the file of the 1st respondent Police.

6.This Criminal Original Petition stands allowed and the case in Crime No.1325 of 2020, on the file of the 1st respondent police is quashed.

Sd/-
Assistant Registrar(VI)

//True copy//

Sub Assistant Registrar

kp

To

1. The Inspector of Police,
J-8, Neelankarai Police Station,
Chennai 600 041.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.V.Varcees Amal Raja, Advocate SR.No.37026

CRL.O.P.No.12985 of 2021

JPL (CO)

<https://hcservices.ecourts.gov.in/hcservices/>
HS (19/08/2021)