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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.13466 OF 2021

1.Prakash
2.Raja
3.Manigandan
4.Mohan
5.Desappan
6.Suresh @ Chinnathambi

... Petitioners/
Accused

Versus

1. State by Inspector of Police,
Aarambakkam Police Station,
Thiruvallur District,
(Crime No.93/2021)

2. Kuppammal

... Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records the FIR in Crime No.93/2021 on the file of the First Respondent police and quash the same.

For Petitioners : Mr.R.Ramesh

For Respondent : Mr.R.Vinothraja
No.1 Government Advocate (Crl. Side)

For Respondent : Mr.S.P.Kumanan
No.2

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.93 of 2021, dated 03.05.2021 on the file of the 1st respondent Police.



2.The gist of the complaint is that the petitioners joined together and spread a false message in their village stating that the defacto complainant's minor daughter Kaviya married to one Panchatcharam son of Ramesh one week before from the date of the complaint. On the basis of the above false message, their name, fame and reputation in the local village has been damaged. The petitioners threatened the defacto complainant that if she does't conduct the marriage with Panchatcharam, she will pay a fine of Rs.1,00,000/- or she will stay away from the village. Hence, the defacto complainant lodged a complaint before the first respondent police. Based on the complaint, the first respondent police registered a case in Crime No.93 of 2021 for offences under Sections 506(1) and 509 IPC.

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.An affidavit dated 26.07.2021 and no objection letter dated 19.07.2021 have been filed by the 2nd respondent/defacto complainant and the 2nd respondent/defacto complainant is also present in the Court. The petitioners are appeared through Video conferencing. In the affidavit, it has been stated that the matter has been referred to RDO enquiry for peace committee meeting. Accordingly, RDO and DSP along with 1st respondent conducted peace committee meeting in my village. The petitioners appeared before the peace committee meeting. Before the meeting, they gave an undertaking that in future they will not interfere in my life or my daughter's life and also they will not spread any message in future against my daughter in the village. The same was also agreed by her as well as by the authorities and this Court also enquired both the parties and satisfied that the parties have come to an amicable settlement between themselves. The petitioners and the 2nd respondent hail from the same village.

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 Cr1 10), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the First Information Report in Crime No.93 of 2021, on the file of the 1st respondent Police.



6.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.93 of 2021, on the file of the 1st respondent police, is quashed.

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Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

sms

To

1. The Inspector of Police,
Aarambakkam Police Station,
Thiruvallur District, (Crime No.93/2021)
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Ramesh, Advocate, S.R.No.61454

CRL.O.P.No.13466 of 2021

PL(CO)
PM/21/12/2021