

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.16221 of 2019
and CrI.M.P No.8107 of 2019

1. Mr.G.Jeyakumar Dickson
2. Mrs.J.Swarnalatha

Petitioners/Accused No. 2 & 3

vs.

1. The State Rep. by
The Inspector of Police,
W-32, Madipakkam All Women's Police Station,
Madipakkam,
Chennai - 600 071.
(Crime No.3 of 2019)

2. Mrs.J.Jecinth Angel

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.3 of 2019 pending on the file of the Inspector of Police, W-32, Madipakkam All Women's Police Station, Chennai and quash the same.

For Petitioners : Mr.A.Kripakaran

For Respondents : Mr.M.Mohammed Riyaz

Additional Public Prosecutor for R1

Mr.K.Samidurai for R2

सत्यमेव जयते
ORDER

The Criminal Original Petition has been filed to call for the records in Crime No.3 of 2019 pending on the file of the Inspector of Police, W-32, Madipakkam All Women's Police Station, Chennai and quash the same.

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 affidavit dated 17.12.2020 has been filed by the 2nd respondent/de-facto complainant before this Court. The petitioners and the second respondent were also present through

Video conferencing and they were identified by Ms.Muthukamalakshi, Inspector of Police, W-32, Madipakkam All Women's Police Station, Madipakkam, Chennai. In the affidavit it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.3 of 2019. 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.3 of 2019 pending on the file of the Inspector of Police, W-32, Madipakkam All Women's Police Station, Chennai.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.3 of 2019, pending on the file of the Inspector of Police, W-32, Madipakkam All Women's Police Station, Chennai, is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

ssr

Sub Assistant Registrar

To

1. The Inspector of Police,
W-32, Madipakkam All Women's Police Station,
Madipakkam,
Chennai - 600 071.

2. The Public Prosecutor,
High Court, Madras.

Cr1.O.P No.16221 of 2019
and Cr1.M.P No.8107 of 2019

ssn (CO)

rv (01/02/2021)