



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.10.2021

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.19557 of 2021

Jahir Hussain

... Petitioner

Versus

1.Smriti Murali

2.The Inspector of Police,
E-4, Abiramapuram Police Station,
Chennai-600 014.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and to quash the charge sheet in C.C.No.5418 of 2014 pending on the file of the XXIII Metropolitan Magistrate Court, Saidapet, Chennai -600 015 in the interest of justice.

For Petitioner : Mr.V.K.Sathyamurthy
For R2 : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.5418 of 2014 pending on the file of the XXIII Metropolitan Magistrate Court, Saidapet, Chennai.

2.The case of the prosecution is that the petitioner and the 1st respondent are known to each other during college days. Thereafter, the 1st respondent got married and now, have a child. The petitioner used to follow the 1st respondent where ever she goes. Despite warning him not to follow her, the petitioner continued to harass her and he compelled the 1st respondent's parents to give in 1st respondent's sister for marriage. One day, the petitioner misbehaved with the 1st respondent when she went to pick her daughter from the school. She pulled her hand and escaped in her car and informed her husband. The husband of the 1st respondent enquired and warned the petitioner and thereafter, the petitioner threatened the 1st respondent and her family members in abusive language which caused mental agony and fear and hence, she lodged a complaint to the 2nd respondent Police and a case in Crime No.2451 of 2014 was registered, for offence under Sections 506(1) IPC r/w 4 of the Tamil Nadu Prohibition of Women Harassment Act. On completion of the investigation, charge sheet filed before the learned XXIII Metropolitan Magistrate, Saidapet, Chennai and the same was taken on file as C.C.No.5418 of 2014.



3.The case is still at the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromised the dispute amicably among themselves.

4.An affidavit of the petitioner and the 1st respondent filed before this Court. Today, the petitioner appeared before this Court and the 1st respondent appeared through Video conferencing. This Court enquired both the parties and 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 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 proceedings in C.C.No.5418 of 2014 on the file of the XXIII Metropolitan Magistrate Court, Saidapet, Chennai.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.5418 of 2014, on the file of the XXIII Metropolitan Magistrate Court, Saidapet, Chennai, is quashed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vv2
To

1.The XXIII Metropolitan Magistrate Court,
Saidapet, Chennai.

2.The Inspector of Police,
E-4, Abiramapuram Police Station,
Chennai-600 014.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.C.Rajan, Advocate Sr.NO. 54724

CRL.O.P.No.19557 of 2021

A.SK(22.11.2021)