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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.19597 of 2021

1.Parthiban
2.Mani
3.Gandhimathi

... Petitioners

Versus

1. State Rep by,
The Inspector of Police,
AWPS Chengalpattu Police Station,
Chengalpattu District.
(Crime No.10/2020).

2. A.Yamuna

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of the entire proceedings Crime No.10/2021 on the file of the 1st respondent and quash the same.

For Petitioners	:	Mr.K.Thenrajan
For R1	:	Mr.A.Damodaran, Additional Public Prosecutor
For R2	:	E.T.Nandhakumar

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.10 of 2021, dated 06.08.2021 on the file of the 1st respondent Police.

2.The case of the prosecution is that the marriage between the 1st petitioner and the 2nd respondent was held on 19.02.2021 in Thillai Mahal, Padapai. During the marriage, 25 sovereigns of gold jewels and household articles were given. After the marriage, the 1st petitioner used to threaten and abuse the 2nd respondent in filthy language at the instigation of the 2nd and 3rd petitioners. On 18.06.2020, at about 10.30 p.m., the 1st petitioner came in drunken mood and assaulted the 2nd respondent



and also attempted to murder her. The 2nd respondent escaped from him and sought help from one Loganathan and thereafter, she was sent to her parents house. After taking treatment from the hospital, the 2nd respondent has lodged a complaint to the 1st respondent Police and the same was taken on file as FIR in Crime No.10 of 2020, for offence under Sections 498(A), 406, 420, 307, 506(ii) of IPC and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act.

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 of the 2nd respondent has been filed before this Court. The petitioners and the 2nd respondent are present through Video conferencing. This Court also enquired both the parties and was 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 First Information Report in Crime No.10 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.10 of 2021, on the file of the 1st respondent police, is quashed against the petitioners.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
AWPS Chengalpattu Police Station,
Chengalpattu District.



2. The Public Prosecutor,
High Court, Madras.

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+1cc to Mrs.G.Saranya, Advocate, S.R.No.58266

CRL.O.P.No.19597 of 2021

KV(CO)
SU(15/11/2021)