



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20817 of 2021

Thirumaeni @ Kulli

... Petitioner

Versus

1. The Inspector of Police
N-1, Rayapuram Police Station
Chennai-13.

2. Kumari.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in C.C.No.1192/2021 on the file of XVI Metropolitan Magistrate George Town, Chennai and quash the same.

For Petitioner : Mr.E.Viswanathan

For Respondents: Mr.R.Vinothraja (R1)
Government Advocate (crl.side)
Mr. K.Thanrajan (R2)

O R D E R

The Criminal Original Petition has been filed to call for the records in C.C.No.1192/2021 on the file of XVI Metropolitan Magistrate George Town, Chennai and quash the same.

2.The case of the prosecution is that on 10.02.2021, due to wordy quarrel, the petitioner misbehaved with the Second Respondent/De-facto complainant, due to which the Second Respondent/De-facto complainant lodged a complaint against the petitioner and based on which a case was registered in Crime No.43 of 2021 and after completion of investigation, final report came to be filed and the same was taken on file in C.C.No.1192 of 2021 on the file of XVI Metropolitan Magistrate, George Town, Chennai.

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



4. An Affidavit deed dated 20.09.2021 has been filed by the second respondent/de-facto complainant. The petitioner and the second respondent are present before this Court. In the Affidavit, it is stated that pursuant to mediation, compromise was arrived and the Petitioner and the defacto complainant decided to settle the dispute in amicable way. 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 C.C.No.1192 of 2021, on the file of the XVI Metropolitan Magistrate, George Town, Chennai.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.1192 of 2021, on the file of the XVI Metropolitan Magistrate, George Town, Chennai, is quashed against the petitioner.

Sd/-

Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

arr

To

1. The Inspector of Police
N-1, Rayapuram Police Station
Chennai-13.
2. The XVI Metropolitan Magistrate,
George Town, Chennai.
3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.20817 of 2021

PA(CO)

GMV(07/12/2021)

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