



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2021

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.22552 of 2021

1.Sakkaravarthi
2.Senkottaiyan

...Petitioners/Accused 1 & 2

Versus

1.State Rep. by,
Inspector of Police,
Ulundurpet Police Station,
Kallakurichi District,
Crime No.268/2021.

... 1st Respondent/Complainant

2.Sathiyavani.

...2nd Respondent/Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code praying to call for the records in connection with the First Information Report in Crime No.268 of 2021 dated 03.04.2021 on the file of the Inspector of Police, Ulundurpet Police Station, Kallakurichi District and quash the same.

For Petitioners : Mr.S.Saravana Kumar

For Respondents : Mr.Vinoth Raja,
Government Advocate (Crl.Side)

O R D E R

The Criminal Original Petitions has been filed to call for the records in connection with the First Information Report in Crime No.268 of 2021 dated 03.04.2021 on the file of the Inspector of Police, Ulundurpet Police Station, Kallakurichi District and quash the same.

2.The case of the prosecution is that on 03.04.2021 at about 11.30 a.m, the petitioner along with his brother entered into the defacto-complainant home in drunken mood and caught hold of her daughter's hand with the result she



raised hue and cry. On her alarm, the defacto-complainant intervene the petitioners but they abused using filthy language outraging the modesty of her, assaulted and threatened with dire consequences. After that she stated the said incident to her son and she was admitted into Government Hospital. In this connection, the defacto complainant request to take action on the above said petitioners. On the basis of this, the respondent police had lodged a complaint against the petitioners and the First Information Report was registered a case in Crime No.268/2021 for the alleged offence under Sections 448, 294(b), 323, 506(i) of IPC r/w.4 of TN Prohibition of Harassment of Women Act, 2002.

3.The learned counsel for the petitioners submitted that the allegation against these petitioners are false, frivolous and motivated and no prima facie case made out against these petitioners. Now, after the intervention of respectable known persons, both the parties have come to a compromise. Hence, the petitioners have filed this petition to quash the FIR in Crime No.268 of 2021.

4.The case is still at the stage of investigation. By passage of time, the parties have decided to compromise the dispute amicably among themselves.

5.A Joint Compromise Memo dated 28.10.2021 has been filed by the petitioners and the second respondent/de-facto complainant before this Court. The 2nd respondent and petitioners present through Video conferencing. In the Joint Compromise Memo, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.268 of 2021. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6.Under such circumstances, no useful purpose will be served in keeping the First Information Report pending. Even though, the offence involved is 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), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., inclined to quash the First Information Report in Crime No.268 of 2021.

7.In the result, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.268 of 2021, on the file of the 1st respondent police, is quashed and



the terms of Joint Compromise Memo shall form part and parcel of this order.

WEB COPY

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

ENCL: Xerox Copy of Joint Compromise Memo

dna

To

1.The Inspector of Police,
Ulundurpet Police Station,
Kallakurichi District.

2.The Public Prosecutor
High Court, Madras.

Crl.O.P.No.22552 of 2021

CA(CO)
GN(20/01/2022)