



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.23231 of 2021
and
Crl.M.P.No.12728 of 2021

1. Suresh
2. Vijayakumar
3. Sujatha ... Petitioners / Accused 1 to 3

Versus

1. State represented by,
The Sub Inspector of Police,
Pollachi Taluk Police Station,
Pollachi,
Coimbatore District. ...1st Respondents / Complainant
2. Vellimani ...2nd Respondents / Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.569 of 2021 pending on the file of the first respondent and to quash the same.

For Petitioners : Mr. A. Tamilarasan

For Respondents : Mr.R.Vinothraja
Government Advocate (Crl. Side)
for R1

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.569 of 2021, dated 18.09.2021 on the file of the 1st respondent Police.

2. Totally there are 4 accused and the petitioners are arrayed as A1 to A3. The case of the prosecution is that on 17.09.2021, all the accused abused the defacto complainant in



filthy language and also assaulted her. Hence, she lodged a complaint before the first respondent police. On receipt of the same, a case in Crime No.569 of 2021 was registered for the offences under Sections 294(b), 323 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

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. The petitioners and the 2nd respondent/defacto complainant have filed a joint compromise memo, dated 18.11.2021 to that effect. The petitioners and the 2nd respondent are present through Video conferencing. In the joint compromise memo, it is stated that in the interest of protecting the life of both the parties and their futures, compromise has been evolved between both the defacto complainant and the accused persons, and the defacto complainant is not inclined to proceed with the case further. 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 Gujrath), and after exercising due caution as advised by the Hon'ble Suprme 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.569 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.569 of 2021, on the file of the 1st respondent police, is quashed against the petitioners and the other accused, who are also similarly placed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

True Copy//

Sub Assistant Registrar



1. The Sub Inspector of Police,
Pollachi Taluk Police Station,
Pollachi, Coimbatore District.

2. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.23231 of 2021

GPL[co]
NSK 27/01/2022