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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NOS.23588, 23573 & 23580 OF 2021

AND

CRL.M.P.NOS.12954, 12958, 12959,  
12960, 12964 & 12965 OF 2021

S.Rithish

... Petitioner in Crl.O.P.No.23588 of 2021

K.Srikanth

... Petitioner in Crl.O.P.No.23573 of 2021

Kalpana

... Petitioner in Crl.O.P.No.23580 of 2021

Versus

1. The State rep. by  
Inspector of Police,  
All Women Police Station - West,  
Coimbatore.  
(Crime No.8 of 2020)  
(amended as per order in  
Crl.M.P.Nos.13548, 13547 & 13546  
of 2021 in Crl.O.P.Nos.23588, 23573  
& 23580 of 2021)

2. Annapoorani

... Respondents in all Crl.O.Ps.

COMMON PRAYER:

Criminal Original Petitions filed under Section 482 of the Code of Criminal Procedure, to call for the records C.C.No.1530 of 2021, pending on the file of the Additional Mahila Court, Coimbatore and to quash the same.



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For Petitioners : Mr.L.Muralikrishnan  
in all Crl.O.P.'s for M/s.Ojas Law Firm

For Respondents : Mr.E.Raj Thilak for R1  
in all CRL.O.P.'s Additional Public Prosecutor

Ms.S.P.Arthi for R2

#### COMMON ORDER

These petitions have been filed to call for the records in C.C.No.1530 of 2021, pending on the file of Additional Mahila Court, Coimbatore and to quash the same.

2. The case of the prosecution is that the defacto complainant/second respondent has given a complaint before the first respondent police on 10.09.2020 alleging that the petitioners have allegedly demanding more dowry and treated her with cruelty. The further allegation of the second respondent is that due to the same, she was allegedly sent out of the matrimonial home for want of alleged dowry. Hence, the de-facto complainant filed a complaint against the petitioner and others in All Women Police Station-West, Coimbatore City and FIR was registered in Crime No.08 of 2020 for the offences under Sections 498(A), 323, 506(2), 294(b) and 506(1) of I.P.C. Thereafter, the Inspector of Police, All Women Police Station - West, Coimbatore has filed charge sheet before the Additional Mahila Court, Coimbatore in C.C.No.1530 of 2021.

3. The learned counsel for the petitioners submitted that the petitioner/first accused in Crl.O.P.No.23588 of 2021 is the husband, the petitioner/second accused in Crl.O.P.No.23573 of 2021 is the father-in-law and the petitioner/third accused in Crl.O.P.No.23580 of 2021 is the mother-in-law of the 2<sup>nd</sup> respondent herein. He further submitted that there was absolutely no demand of dowry on the side of the petitioners. Though the petitioner/first accused and 2<sup>nd</sup> respondent started their matrimonial life at petitioners' house, the same was not fruitful due to various activities and attitude of the second respondent and her parents. Therefore, it was the petitioner/first accused who suffered cruelty in the hands of the second respondent, both mentally and physically. Many facts about the second respondent was suppressed by the second respondent and her family members. The petitioner/first accused and the second respondent got separated and are living separately since April, 2019. Despite the same, the second respondent has lodged a false complaint as if the



petitioner/first accused has committed the alleged offence, based on the same, FIR has been registered and thereafter, a false charge sheet has been filed. Now, after the intervention of respectable known persons, both of them have come to a compromise. Hence, the petitioners have filed these petitions to quash the charge sheet in C.C.No.1530 of 2021.

4. 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.

5. The Affidavit dated 15.12.2021 has been filed by the 2<sup>nd</sup> respondent/de-facto complainant before this Court. The 2<sup>nd</sup> respondent and petitioners present through Video conferencing. In the affidavit, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in C.C.No.1530 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 case 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 Gujarat), 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 of Cr.P.C., quashes the case in C.C.No.1530 of 2021, pending on the file of the learned Additional Mahila Court, Coimbatore.

7. These Criminal Original Petitions stand allowed and as a sequel, the proceedings in C.C.No.1530 of 2021, pending on the file of Additional Mahila Court, Coimbatore is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, connected Miscellaneous Petitions are closed.

\*Xerox copy of Affidavits(3 nos) are enclosed.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

dna/mdl



To

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1. The Judge,  
The Additional Mahila Court, Coimbatore.
2. The Inspector of Police,  
All Women Police Station - West,  
Coimbatore.
3. The Public Prosecutor,  
High Court, Madras.

+3ccs to M/s.Ojas Law Firm, Advocate, S.R.No.67830,67831,67832

CRL.O.P.Nos.23588, 23573 &  
23580 of 2021  
and  
Crl.M.P.Nos.12954, 12958, 12959,  
12960, 12964 & 12965 of 2021

SSI (CO)  
PM/20/01/2022