



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.12.2021

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No.11730 of 2017

and

Crl. M.P.No.7678 of 2017

1. Shanthi
2. Elumalai

....Petitioners

Versus

1. State rep. by  
The Inspector of Police  
Arcot Town Police Station  
Arcot, Vellore District  
Crime No.139 of 2017

2. Arunkumar

....Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records pertaining to First Information Report registered in Crime No.139 of 2017 on the file of the 1<sup>st</sup> respondent and quash the same.

For Petitioners ... Mr.K.T.S.Sivakumar

For Respondents ... Mr.R.Kishore Kumar  
Govt. Advocate (Crl.side) for R1  
Ms.S.P.Arthi for R2

O R D E R

This Criminal Original Petition has been filed to quash the First Information Report registered against the petitioners in Crime No.139 of 2017 for the offences under Sections 147, 148, 447, 294(b), 324, 323, 379, and 506(2) IPC and Section 3 of the Public Property (Prevention of Damage & Loss) Act, 1992.

2. The crux of the prosecution case is that the accused, being the wife and in-laws of the de facto complainant, entered into the house of the de facto complainant, abused him and also caused simple injuries besides threatening him.



3. It is stated by the learned counsel for the petitioners and the de facto complainant that the matter has been settled amicably between husband and wife.

4. The de facto complainant, who is a practising advocate in Arcot District, is also present before this Court. He is identified by the counsel on record. It is submitted by the learned counsel that the present FIR has been filed with regard to matrimonial dispute between the husband and wife and since the matter has been settled between the parties, the de facto complainant is not interested in prosecuting the case.

5. In such view of the matter, this Court is of the view that as the allegations have been made against the wife and in-laws out of matrimonial dispute and the de facto complainant himself has filed an affidavit to the effect that he is not interested in prosecuting the case any further, continuation of prosecution will not serve any purpose and the first information is liable to be quashed.

Accordingly, this Criminal Original Petition is allowed and the FIR in Crime No.139 of 2017 is quashed. The affidavit filed by the de facto complainant shall form part of the record.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

gpa/gba

To

1. The Inspector of Police  
Arcot Town Police Station  
Arcot, Vellore District
2. The Public Prosecutor  
Madras High Court  
Chennai.

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PM(CO)  
GN(23/12/2021)