



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2021

CORAM:

THE HON'BLE MR.JUSTICE KRISHNAN RAMASAMY

CRL.O.P.NO.12064 OF 2017

AND

CRL.M.P.NO.7905 OF 2017

M.Kandan

... Petitioner

.Vs.

1. The State Rep. By
The Superintendent of Police,
Thiruvallur,
Thiruvallur District.

2. The Inspector of Police,
All Women Police Station,
Avadi, Thiruvallur District.

3. Priyadharshini

... Respondents

PRAYER:- Petition filed under Section 482 of Code of Criminal Procedure to direct the 1st respondent police to transfer the investigation in Crime.No.3/2017 pending on the file of the 2nd respondent police to the Inspector of Police, All Women Police Station, Thiruppathur, Vellore District.

For Petitioners : M/s.E.Kannadasan

For R1 & R2 : Mr.L.Baskaran
Government Advocate (Crl. Side)

For R3 : Mrs.Priyadharshini
Appeared in person

ORDER

This Criminal Original Petition has been filed, praying to direct the 1st respondent police to transfer the investigation in Crime.No.3/2017 pending on the file of the 2nd respondent police to the file of the Inspector of Police, All Women Police Station, Thiruppathur, Vellore District.



2. Based upon a complaint lodged by the 3rd respondent/wife, a case has been registered in Crime No.3 of 2017 against the petitioner/husband under Sections 498(A), 406 of I.P.C r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002.

3. When the matter is taken up for hearing today i.e., 01.11.2021, the learned counsel appearing for the petitioner submits that the matter pertains to the family dispute and the same has been settled wherein, the defacto complainant has been paid with a sum of Rs. 25,00,000/- by the petitioner towards permanent alimony.

4. Pursuant to the direction of this Court, today, the learned counsel appearing for the defacto complainant and the defacto complainant are present before this Court. She reported before this Court that the matter has been settled and she also received a sum of Rs.25,00,000/- towards permanent alimony and she is not interested to pursue the case filed against the petitioner under sections 498(A), 406 of I.P.C r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act 2002 and willing to withdraw the same.

5. Though the Criminal Original Petition has been filed, seeking to transfer the investigation in Crime No.3 of 2017, as the matter has been settled between the parties and the petitioner also received the permanent alimony of sum of Rs.25,00,000/- from the petitioner and as the offences are compoundable, this Court is of the view that no useful purpose would be served even if the investigation is ordered to be transferred to the file of the 2nd respondent. In such view of the matter, no further investigation is required and the FIR in Crime No.3 of 2017 is liable to be quashed. Accordingly, by exercising inherent power of this Court under Section 482 Cr.P.C., the FIR in Crime No.3 of 2017 on the file of the 1st respondent, is hereby quashed.

6. With the above observation, no further orders are necessary in this petition. Accordingly, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

jd/sp



To

1. The Superintendent of Police,
Thiruvallur,
Thiruvallur District.
2. The Inspector of Police,
All Women Police Station,
Avadi, Thiruvallur District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.E.Kannadasan, Advocate, S.R.No.56720

CRL.O.P.NO.12064 OF 2017 AND
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BR(CO)
PBS/01/12/2021