

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.26597 of 2017
and Crl.M.P No.15293 of 2017

1. M.Vijaykeerthi

2. D.Mathialagan

3. Mrs.Devaki

Petitioners

vs.

1. The State of Tamil Nadu

Rep. by The Inspector of Police,

All Women's Police Station,

Bhavani,

Erode District.

(Crime No.5 of 2017)

2. R.Sanjana

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the case in Crime No.5 of 2017 dated 28.09.2017 on the file of the Inspector of Police, All Women's Police Station, Bhavani, Erode District and Quash the same.

For Petitioners: Mr.P.Raja

For Respondents: Mr.M.Mohammed Riyaz

Additional Public Prosecutor for R1

Mr.A.Kumaraguru for R2

ORDER

The Criminal Original Petition has been filed to call for the records pertaining to the case in Crime No.5 of 2017 dated 28.09.2017 on the file of the Inspector of Police, All Women's Police Station, Bhavani, Erode District and Quash the same.

2. 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.

3. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the respondent and also by their respective counsel. The petitioners and the second respondent were also present through Video conferencing and they were identified by Ms.S.Vinothini, Inspector of Police, All Women's Police Station, Bhavani, Erode District, who was also present at the time of hearing 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 Crime No.5 of 2017. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. 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 Gujrat), 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 Cr.P.C. quashes the First Information Report in Crime No.5 of 2017 pending on the file of the Inspector of Police, All Women's Police Station, Bhavani, Erode District.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.5 of 2017, on the file of the Inspector of Police, pending, is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

ssr
To

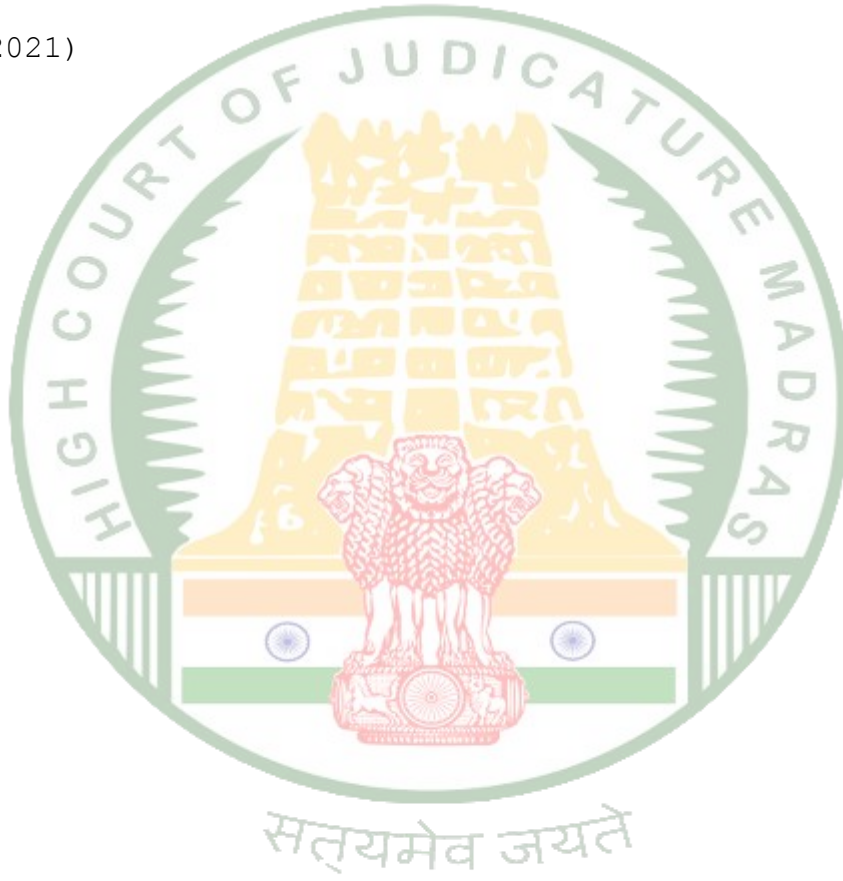
1. The Inspector of Police,
All Women's Police Station,
Bhavani,
Erode District.

Copy to
The Public Prosecutor,
High Court, Madras.

+3 CCS to Mr.P.Raja, Advocate sr 1271.

CrI.O.P No.26597 of 2017
and CrI.M.P No.15293 of 2017

PPA (CO)
SP (08/02/2021)



WEB COPY