

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P.No.29791 of 2019
and CrI.MP.No.16096 of 2019

D.S.Ragu @ Durairaj

...Petitioner/Accused

Versus

1.The State represented by its
Inspector of Police,
All Women Police Station,
Erode.
Crime No.8 of 2019

...1st Respondent/Complainant

2. Jeevitha

...2nd Respondent/Defacto-Complainant

This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code praying to call for the records in connection with crime No.8 of 2019 on the file of the Inspector of Police, All Women Police Station, Erode and quash the same.

For Petitioner : Mr.S.Jeyakumar
For Respondent-1 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor
For Respondent-2 : Mr.M.Guru Prasad

सत्यमेव जयते
O R D E R

The Criminal Original Petition has been filed to quash the FIR in Crime No.8 of 2019, pending on the file of the 1st respondent.

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. The Joint Affidavit filed by the petitioner and the second respondent/defacto complainant dated 26.02.2021 has been filed before this Court. The petitioner and the second

respondent were also present before this Court at the time of hearing through video conferencing and they were identified by Mrs.Dhoulath Nisha, Inspector of Police, Erode. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and it is made part of the record. In the joint affidavit it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.8 of 2019. 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 Cri 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.8 of 2019, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.8 of 2019, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. [The petitioner shall pay a sum of Rs.2500/- (Rupees Two thousand and five hundred only) as costs, to the credit President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157), within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry]. Consequently, connected miscellaneous petition is closed.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rli

To

1. The Inspector of Police,
All Women Police Station,
Erode.

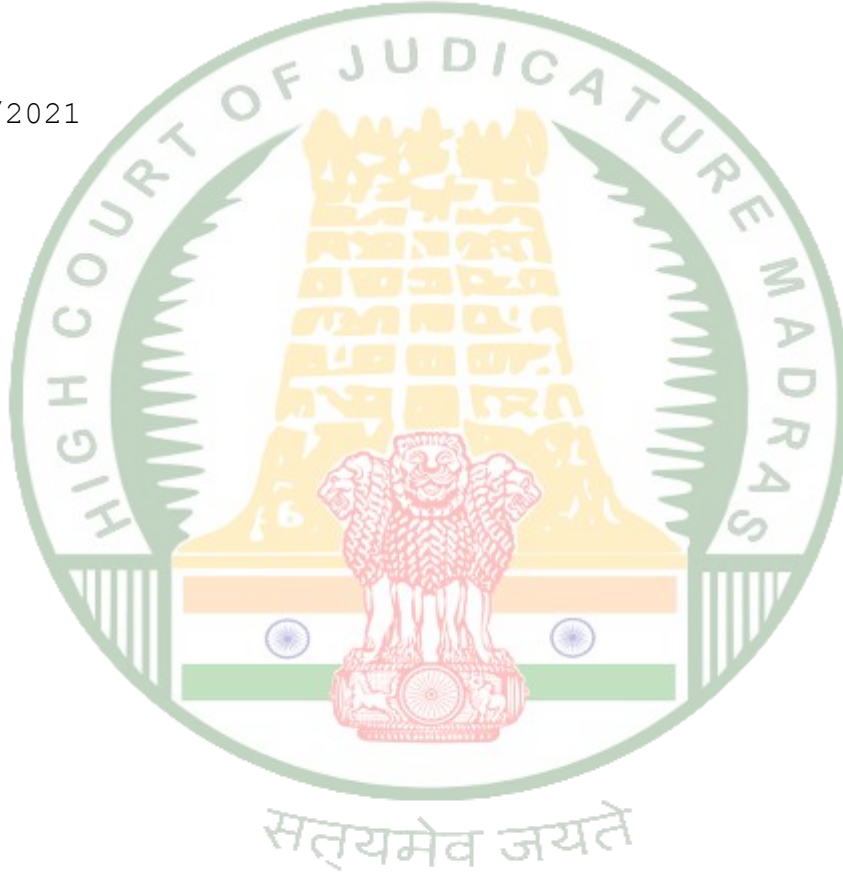
2.The President,Tamil Nadu Advocates Clerk Association,
Madras High Court.

3.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.S.Jeyakumar, Advocate, S.R.No.15777
+1cc to Mr.M.Guruprasad, Advocate, S.R.No.15594

Crl.O.P.No.29791 of 2019
and Crl.MP.No.16096 of 2019

AD(CO)
KKV/23/03/2021



WEB COPY