

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2021

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

CrI.OP.No.33036 of 2019
and
CrI.MP.No.18218 of 2019

1.Noel Ebenezer
2.Gandhi Tharmaraj
3.Sagaya Verginia
4.Joel Richardson
5.Dr.Neranjana ...Petitioners/Accused

.Vs.

1.The State,
Represented by Inspector of Police,
W-4, All Women Police Station,
Kilpauk, Chennai 600 102.

2.X, V Jona Mettleda ..Respondents/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of FIR made in Crime No.2 of 2019 dt.07.11.2019, on the file of the respondent No.1 and quash the same.

For Petitioners : Mr.S.Senthil Nathan

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R1
Mr.A.R.Sakthivel
for R 2

WEB COPY
ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.2 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. Memo dated 28.10.2020, has been filed by the 2nd respondent/de-facto complainant before this Court. The 1st petitioner and the second respondent were also present before

this Court and they were identified by Mrs.S.Amutha, Inspector of Police, W-4, All Women Police Station, Kilpauk. 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. It has been stated in the memo that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.2 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 CrL 10, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.2 of 2019, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, investigation in Crime No.2 of 2019, on the file of the 1st respondent police, is quashed and the terms of memo shall form part and parcel of this order. Consequently, the connected miscellaneous petition is closed. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ENCL: Xerox Copy of Memo filed on
behalf of Respondent 2

KP

To

1. The Inspector of Police,
W-4, All Women Police Station,
Kilpauk, Chennai 600 102.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Senthil Nathan, Advocate, S.R.No. 12152

CrL.OP.No.33036 of 2019