



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.11.2021

CORAM:

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

Crl.O.P.(MD)No.15199 of 2021

Manimaran

... Petitioner/Sole Accused

vs.

1.The State Rep. by  
The Inspector of Police,  
Kollidam Police Station,  
Trichy District.  
(Crime No.324 of 2021)

... 1<sup>st</sup> Respondent/Complainant

2.Suganya

... 2<sup>nd</sup> Respondent/Defacto Complainant

**PRAYER:** Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the proceedings pending against them in Crime No.324 of 2021 for the offence under Section 307 of IPC on the file of the first respondent and quash the same.

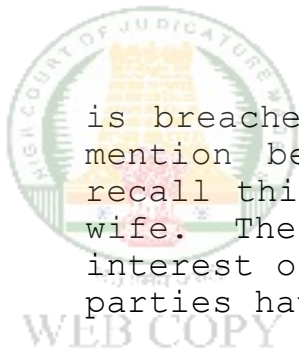
|                |                                                      |
|----------------|------------------------------------------------------|
| For Petitioner | : Mr.K.M.Karunakaran                                 |
| For R1         | : Mr.M.Sakthikumar<br>Government Advocate (Crl.Side) |
| For R2         | : Mr.B.Fazil Kirmani                                 |

### **O R D E R**

This Criminal Original Petition has been filed to quash the FIR in Crime No.324 of 2021 registered on the file of the first respondent for the offence under Section 307 of IPC. The defacto complainant is none other than his wife Suganya. Suganya is present in person before me.

2.The case of the defacto complainant is that the petitioner suspecting her conduct had stabbed her and that she was in hospital for a week. The petitioner is a Government school teacher. He is presently under suspension.

3.I really suspect that only to get an order for revoking suspension, he has chosen to buy peace with the wife. However, the second respondent stated that through the wedlock, she has begotten two children and keeping in mind the future of the children, she has to reconcile with the petitioner. The second respondent calls upon this Court to quash the impugned FIR only for the sake of the children. I warned the petitioner in unmistakable terms that he has no right to inflict violence on his wife and he has to give an undertaking before this Court. The petitioner has given a written undertaking before this Court that he will not indulge in such conduct. I made it clear to the petitioner that if this undertaking



is breached, it would be open to the second respondent to make a mention before this Court and this Court will not hesitate to recall this order. The accused and the complainant are husband and wife. The wife wants to close the matter only keeping in view the interest of the children. I respect the sentiments of the wife. The parties have also filed a joint memo of compromise.

4.In view of the above, the impugned FIR is quashed. This Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

**(\*) Enclosed herewith The Joint Compromise Memo**

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Inspector of Police,  
Kollidam Police Station,  
Trichy District.
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.K.M.KARUNAKARAN, Advocate ( SR-35513[F] dated 23/11/2021 )

**Crl.O.P. (MD)No.15199 of 2021**  
**22.11.2021**

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**RS (10.12.2021) 2P 4C**