



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.10.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P. (MD) No.16784 of 2021

WEB COPY

1.Thangalakshmi

2.Gopalakrishnan

3.Sivasankari

4.M.Pattulingam

5.Ananthi

6.Marikumar

... Petitioners/Accused Nos.1 to 6

Vs.

1.The State rep. by

The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.

(Crime No.96 of 2021)

... 1st Respondent/Complainant

2.Nanthini

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to F.I.R. in Crime No.96 of 2021 on the file of the respondent police and quash the same.

For Petitioners : Mr.D.S.Haroon Rasheed

For R1 : Mr.R.M.S.Sethuraman for R1

Additional Public Prosecutor

For R2 : Mr.A.Balaji

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.96 of 2021 on the file of the 1st respondent police.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.96 of 2021 for the offences punishable under Section 306 of IPC against the petitioners.

3.The further contention of the petitioners is that they compromised the issue with the 2nd respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioners and the 2nd respondent and also by their respective



4.The petitioners and the 2nd respondent appeared through video conference from the Office of the Additional Public Prosecutor (Crl.Side) before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor (Crl.Side) and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.

5.The second respondent who is the defacto complainant and the wife of the deceased are present through video conference. It was informed the Court that the accused person gave a sum of Rs.2,00,000/- (Rupees Two Lakhs only) as compensation. It appears that because of a small issue that took place in the family over sharing of the property, the deceased committed suicide. Even on merits it is seen that the allegation made against this petition does not attract the offence under Section 306 of IPC. The only allegation is that all the accused persons joint together and scolded the deceased to commit suicide by consuming poison. This will not amount to abutment of suicide. Even on merits, the charge against this petitioners does not stand.

6.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners and also in view of the joint compromise memo, dated 29.10.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in Crime No.96 of 2021 pending on the file of the 1st respondent police is quashed and the compromise memo is recorded.

7.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.96 of 2021, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

TM

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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

Enclose Copy of Joint Compromise Memo.

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

Crl.O.P. (MD)No.16784 of 2021
29.10.2021

RK(29/11/2021) 3P 3C