



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.12.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.19630 of 2021

R.Suganthi

... Petitioner/Accused No.1

Vs.

1.The State rep by

The Inspector of Police,
Othakadai Police Station,
Madurai District.

(In Crime No.490 of 2019)

... 1st Respondent/Complainant

2.Meenakshi @ Kannaki

... 2nd Respondent/
Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to Crime No.490 of 2019 on the file of the 1st respondent police and quash the same insofar as the petitioner concerned.

For Petitioner : Mr.S.M.Mohan Gandhi
For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side) for R1.

Mr.D.Anbarasu for R2.

O R D E R

This criminal original petition has been filed for quashing the FIR in Crime No.490 of 2019 registered on the file of the first respondent.

2.The defacto complainant/Meenakshi @ Kannaki is present before this Court in person. She has been duly identified by Mr.S.Singaraj, Sub Inspector of Police, attached to first respondent police station. The parties have filed a memo of joint compromise. The defacto complainant categorically states before this Court that she does not want to pursue the complaint. When the parties have arrived at an amicable settlement and the defacto complainant does not want to pursue the complaint, no purpose will be served in keeping the impugned prosecution alive. The impugned FIR is quashed. The criminal original petition is allowed.



3.The petitioner's android phone was seized by the first respondent. The first respondent has sent the same to the forensic lab. Since the case itself has been quashed, the custody of the said phone need not be retained by the first respondent. The first respondent is directed to secure the said phone from the forensic lab and thereafter return the same to the petitioner herein. This shall be done as early as possible.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Encl:- Photocopy of Compromise Memo Attached.

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,
Othakadai Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD) No.19630 of 2021
10.12.2021

MGJ(29.12.2021) 2P 3C