



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.540 of 2022

1.Manikandan

2.Venkat

... Petitioners/Accused

Versus

1.The Inspector of Police
Abiramapuram Police Station,
Chennai -13.

...1st Respondent/Complainant

2.Kavitha

...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to Crime No.755 of 2021 on the file of the first respondent and quash the same.

For Petitioners: Mr.E.Viswanathan

For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor
for R1
Mr.K.Thenrajan for R2

O R D E R

The Criminal Original Petition has been filed to call for the records relating to Crime No.755 of 2021 on the file of the first respondent and quash the same.

2. The case of the prosecution is that on 31.08.2021, the de facto complainant after completion of her routine work return to her home in her cycle. It was alleged that the petitioners had misbehaved with the 2nd respondent/defacto complainant herein. Based on the complaint given by the 2nd respondent, the 1st respondent police registered the case in Crime No.755/2021 for the offence under Sections 341, 354 and 506(ii) of IPC.



3. The case is still at the stage of investigation. By passage of time, the parties have decided to compromise the dispute amicably among themselves.

4. The Affidavit dated 10.01.2022 has been filed by the 2nd respondent/de-facto complainant before this Court. The 2nd respondent and petitioners present through Video conferencing. In the affidavit, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in Crime No.755 of 2021. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending. Even though, the offence involved is 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., inclined to quash the First Information Report in Crime No.755 of 2021.

6. In the result, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.755 of 2021, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order.

*Xerox copy of the affidavit of 2nd Respondent dated:10/01/2022 is enclosed.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

rkp
To

1.The Inspector of Police
Abiramapuram Police Station,
Chennai -13.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.E.Viswanathan, Advocate, S.R.No.3466
CRL.O.P.No.540 of 2022

GPL(CO)
CB(02/02/2022)