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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.2193 and 2908 of 2022
and
Crl.M.P.No.1243 of 2022

Crl.O.P.Nos.2193 of 2022:

Jayalakshmi ...Petitioner

Vs.

1. State Rep. by
The Inspector of Police
Perambalur Police Station,
Perambalur.
(Crime No.1093 of 2021)
2. Nandhakishor

...Respondents

Crl.O.P.Nos.2908 of 2022:

Nandhakishor ...Petitioner

Vs.

1. State Rep. by
The Inspector of Police
Perambalur Police Station,
Perambalur.
(Crime No.1097 of 2021)
- 2.Menaga
- 3.Selvam
4. Renuga
- 5.Jayalakshmi

...Respondents

COMMON PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to call for the records in connection with the impugned F.I.Rs in Crime No.1093 and 1097 of 2021 on the file of the first respondent and quash the same.

For Petitioners

In both Crl.O.Ps : Mr.M.Vijaya Ragavan

For Respondent-1

In both Crl.O.Ps : Mr.E.Raj Thilak
Additional Public Prosecutor



C O M M O N O R D E R

These Criminal Original Petitions have been filed to call for the entire records in Crime No.1093 and 1097 of 2021 on the file of the first respondent police and quash the FIRs against the petitioner.

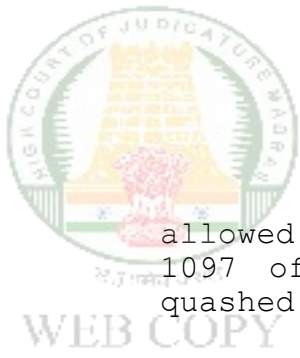
2. The case of the prosecution is that the parties belong to same family. On 02.07.2021, there was some dispute among the family members, due to which, they scolded each other in filthy language and attacked themselves. Hence, Jayalakshmi, who is the petitioner in Crl.O.P.No.2193 of 2022 lodged a complaint against her son, who is the second respondent herein, before the first respondent police and an F.I.R was registered in Crime No.1093 of 2021 under Sections 294(b), 341, 324 and 506(i) of I.P.C read with Section 4 of TN Prohibition of Harassment of Women Act, 2002. In this regard, a counter case also has been registered against the said Jayalakshmi/de-facto complainant and three others, in Crime No. 1097 of 2021 on the file of the first respondent for the alleged offences under Section 294(b), 323 and 506(i) of I.P.C.

3. The learned counsel for the petitioners in both petitions submitted that the parties belong to same family, they have entered into a compromise and thereby, settled the issue amicably among themselves out of freewill and without any coercion with an intention to live peacefully.

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

5. The parties are present through Video conferencing. It has been stated that they have entered into a compromise and amicably settled their issues in Crime Nos.1093 and 1097 of 2021. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6. 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., inclined to quash the First Information Report in Crime No.1093 and 1097 of 2021.



7. In the result, the Criminal Original Petitions stand allowed and as a sequel, the proceedings in Crime No.1093 and 1097 of 2021, on the file of the 1st respondent police, are quashed.

Sd/-
Assistant Registrar(CS-VII)

//True copy//

Sub Assistant Registrar

ab/srn

To

1. The Inspector of Police
Perambalur Police Station,
Perambalur.

2.The Public Prosecutor,
High Court of Madras.

+lcc to Mr.M.Vijaya Ragavan, Advocate SR.No.7460

Crl.O.P.Nos.2193 and 2908 of 2022
and
Crl.M.P.No.1243 of 2022

PMK (CO)
GMY (17/02/2022)