



Crl.O.P No.3354 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2022

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.3354 of 2021

and

Crl.MP.No.1935 of 2021

1.M.Dinesh

2.Viji

... Petitioners / Accused Nos.1 & 2

Vs.

1.The State Rep by
Inspector of Police,
All Women Police Station,
Chengalpet.

... 1st respondent / complainant

2.A.Chitra

... 2nd Respondent/
Defacto complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for records to the case in C.C.No.146/2020, on the file of the Judicial Magistrate, Additional Mahila Court, Chengalpattu and quash the same.

For Petitioners : Mr.Dhalapathy Vignesh Kumar

For Respondent-1 : Mr. A.Damodaran

Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to call for the records pertaining to C.C.No.146/2020, on the file of the learned Judicial Magistrate, Additional Mahila Court, Chengalpattu and quash the same.

2. The case of the prosecution is that the first accused married the *defacto* complainant on 16.05.2013. Out of the wedlock, a girl child was born. In the year 2017, there was a misunderstanding arose between them, the accused abused the *defacto* complainant. Based on the complaint given by the *defacto* complainant, an FIR was filed by All Woman Police Station, Ambattur and later, it was transferred to the 1st respondent and an FIR was filed in Cr.No.6/2019 under Section 4 of the Prohibition of Harassment of Women Act, 2002 and Sections 498(A) and 506(i) of IPC and subsequently filed charge sheet in CC.No.146/2020. By passage of time, the parties have decided to bury their hatchet and compromised the dispute amicably among themselves.

3. A Joint Memo of Compromise dated 11.11.2022 has been filed by the parties before this Court which have been signed by the petitioner and the



second respondent. All the parties are present and identified by Ms.V.Malarvizhi, WSSI, All Women Police Station, Chengalpattu. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, the offences involved are 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. quashes the charge sheet in C.C.No.146/2020, on the file of the learned Judicial Magistrate, Additional Mahila Court, Chengalpattu.

5. In the result, this Criminal Original Petition stands **allowed** and as a sequel, the proceedings in C.C.No.146/2020, on the file of the learned Judicial Magistrate, Additional Mahila Court, Chengalpattu, is quashed and the Joint Memo of Compromise dated 11.11.2022 filed by the



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parties is taken on file and shall form part and parcel of this order.

Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Speaking Order : Yes / No

jrs



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To:

1. The Judicial Magistrate,
Additional Mahila Court, Chengalpattu
2. The Inspector of Police,
All Women Police Station,
Chengalpet.
3. The Public Prosecutor,
Madras High Court.



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R.N.MANJULA, J.,

jrs

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