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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2022

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.4811 OF 2022

1. Manimaran,
S/o.Marimuthu

2. Mahendran,
S/o.Marimuthu

3. Vasanthi,
W/o.Marimuthu

... Petitioners

Vs

State Represented by

1. The Inspector of Police,
Thiruvarur Town Police Station,
Thiruvarur District.
(Crime No.322 of 2019)

2. Keerthika,
S/o.Manimaran

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.322 of 2019 pending on the file of the first respondent to quash the same in view of the compromise entered into both parties.

For Petitioners : Mr.P.Muthamizhselvakumar

For Respondents :

For R1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

For R2 : Appeared in person

ORDER

This Criminal Original Petition has been filed, to call for the records in Crime No.322 of 2019 pending on the file of the first respondent, to quash the same in view of the compromise



entered into both parties.

2. The learned counsel for the petitioner would submit that the first petitioner is the husband, the second petitioner is brother-in-law and the third petitioner is mother-in-law of the second respondent/defacto complainant. On 07.09.2019, there was a dispute between the first petitioner and his wife the second respondent herein and the first petitioner abused his wife in filthy language. At that time, the second and third petitioners also attacked the second respondent, as a result of which the second respondent/defacto complainant sustained injuries and got admitted into the Tiruvarur Government Medical College hospital, Tiruvarur. Thereafter, the second respondent given a complaint before the first respondent and a case in Crime No.322 of 2019 was registered against the petitioners for the offences under Sections 294(b), 352, 323, 506(2) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002. Hence, the case.

3. The matter arises out of matrimonial dispute and by efflux of time, the parties have compromised the matter, the first petitioner and the second respondent/defacto complainant are now living together under the same roof.

4. A Joint Memo of Compromise has been filed before this Court, which have been signed by the petitioners and the second respondent and also by the learned counsel for the petitioners. The petitioners and the second respondent were also present in person before this Court and they were identified by the learned counsel for the petitioners. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves without any third party influence or compulsion.

5. 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 First Information Report in Crime No.322 of 2019.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.322 of 2019 on the file of the first respondent police is quashed and the



terms of joint compromise memo shall form part and parcel of this order.

*Xerox copy of Joint Memo of Compromise is enclosed.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

arb

To

1. The Inspector of Police,
Thiruvarur Town Police Station,
Thiruvarur District.
2. The Public Prosecutor,
High Court of Madras.

Cr1.O.P.No.4811 of 2022

KV(CO)
PM/04/04/2022