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CrI.O.P No.4130 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2022

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THE HONOURABLE Ms. JUSTICE R.N.MANJULA

CrI.O.P No.4130 of 2021

and

CrI.M.P No.2165 of 2021

- 1.Suriya Prakash
- 2.Susila
- 3.Velu @ Velu Murugan
- 4.Madhu Suthanan

... Petitioners

Vs.

1. State Represented by
The Sub Inspector of Police,
AWPS - Cuddalore-607 002.

2. M.Ramya

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records in FIR No.26 of 2020, on the file of the 1st respondent and quash the same.

For Petitioners : Mr.M.Silambarasan

For Respondents : Mr.A.Damodaran for R1
Additional Public Prosecutor
Mr.Kumaradevan for R2



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CrI.O.P No.4130 of 2020

ORDER

This Criminal Original Petition has been filed, seeking to call for the records pertaining to Crime No.26 of 2020 on the file of the 1st respondent and quash the same as illegal.

2. On the complaint given by the 2nd respondent, a case has been registered in Crime No.26 of 2020 of All Women Police Station, Cuddalore, for the offences under Sections 498(A), 294(b), 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002 against the petitioners herein.

3. The 1st petitioner is the husband of the 2nd respondent/de-facto complainant; the 2nd petitioner is the mother of the 1st petitioner; the 3rd petitioner is the cousin brother of the 1st petitioner and the 4th petitioner is the brother-in-law of the 1st petitioner.

4. The learned counsel for the petitioners submitted that the parties have settled the matter between themselves amicably and they have also entered into a terms of compromise evidencing the same.



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5. When the matter is taken up today, the 1st petitioner and the 2nd respondent/de-facto complainant were present and they were identified by their respective counsels and Ms.R.Bakkiyalakshmi, WGr.I-2329, AWPS, Cuddalore. The terms of compromise were read over to the 1st petitioner and the 2nd respondent. They accepted it to be true and that they had entered into such terms between themselves without any coercion or influence.

6. It is learnt that the parties have dissolved their marriage by mutual consent vide H.M.O.P No.1242 of 2022 on the file of the Additional Principal Family Court, Coimbatore on 06.10.2022. Since the parties had dissolved their marriage and severed their relationship and had chosen to put an end to all the litigations pending between themselves, I feel it is appropriate to allow them to live in peace and choose their own way without making any interference in each other's life.

7. 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 feels it is appropriate to exercise its power under Section 482 Cr.P.C. to quash the proceedings in Crime No.26 of 2020, on



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the file of the 1st respondent.

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8. In the result, this Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.26 of 2020 on the file of the 1st respondent, is quashed. The Joint Compromise Memo dated 10.10.2022 shall form part of this Order. Consequently, connected Miscellaneous Petition is closed.

27.10.2022

Index : Yes/No
Speaking Order : Yes / No
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To

1. The Sub Inspector of Police,
AWPS - Cuddalore-607 002.
2. The Public Prosecutor,
High Court of Madras.

R.N.MANJULA, J.,

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