



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2022

WEB COPY

CORAM

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

CRL.O.P.No.5793 of 2022

1.A.Vijay
2.A.Lalitha
3.A.Sowmya
4.A.Raja Ram
5.R.Rajeswari

... Petitioners/Accused 1 to 5

Vs

State Represented by
1.The Inspector of Police,
W-7, All Women Police Station,
Anna Nagar, Chennai 40.

2.L.Shanthi

...Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.5887 of 2021 on the file of the learned Chief Metropolitan Magistrate, Egmore, Chennai and quash the same.

For Petitioners : Mr.K.Chandru

For Respondents : Mr.A.Gokulakrishnan

Additional Public Prosecutor for R1

Mr.K.Subbu Ranga Bharathi for R2

ORDER

This Criminal Original Petition has been filed, to call for the records in C.C.No.5887 of 2021 pending on the file of the learned Chief Metropolitan Magistrate, Egmore, Chennai and quash the same.

2.The case of the prosecution is that the 1st petitioner and the 2nd respondent are husband and wife and the petitioners 2 to 5 are mother, sister, brother and sister-in-law of the 1st petitioner. Due to matrimonial dispute between the petitioners and the 2nd respondent/de-facto complainant, the 2nd respondent had given a complaint in C.C.No.5887 of 2021 before the Chief



Metropolitan Magistrate, Egmore, Chennai. Thereafter, the petitioners had filed a divorce proceeding in H.M.O.P.No.4804 of 2017 and during the pendency of the case, the petitioners and the 2nd respondent have now arrived at a compromise. Hence, the 2nd respondent has no objection to quash the proceedings in C.C.No.5887 of 2021 on the file of the Chief Metropolitan Magistrate, Egmore, Chennai.

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

4. A Joint Memo of Compromise has been filed before this Court, which have been signed by the petitioners and the second respondent. The petitioners and the second respondent were present before this Court and they were identified by their respective counsels. 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 proceedings 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the proceedings in C.C.No.5887 of 2021.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.5887 of 2021, on the file of the Chief Metropolitan Magistrate, Egmore, Chennai, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

vkr



To

1.The Chief Metropolitan Magistrate,
Egmore, Chennai.

2.The Inspector of Police,
W-7, All Women Police Station,
Thirumangalam, Chennai 40.

3.The Public Prosecutor,
High Court of Madras.

+1 CC to Mr.K.Chandru, Advocate sr 19032.

Cr1.O.P.No.5793 of 2022

RK(CO)
SP(06/04/2022)