



CrI.O.P.No.6186 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2022

CORAM:

THE HON'BLE **MR.JUSTICE N.SATHISH KUMAR**

CRL.O.P.No.6186 of 2022
and CrI.M.P.No.3480 of 2022

1.Thomson Charles
2.Benedic Solomon Matthew
3.Koil Neethial
4.Abraham Lincoln

... Petitioners

Vs.

1.The Inspector of Police
All Women Police Station
Thirumangalam
Chennai

2.R.Poornima

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C.,
to call for the records relating to the F.I.R. No.28 of 2021 dated
22.11.2021 on the file of the 1st respondent and quash the same.

For Petitioners : Mr.V.Sakkarapani



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For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor for R1

Mr.J.Ashish for R2

ORDER

This Criminal Original Petition is filed under Section 482 Cr.P.C. to call for the records relating to the F.I.R. in Crime No.28 of 2021 dated 22.11.2021 registered for the offence under Sections 498(A), 406, 354C and 506(i) I.P.C. on the file of the 1st respondent and quash the same.

2.Learned counsel appearing for the petitioners would submit that the matter has already been settled among themselves and a Joint Compromise Memo dated 03.02.2022 is also entered to that effect.

3.The defacto complainant / 2nd respondent present before this Court. The learned counsel for the defacto complainant did not dispute the settlement effected between the parties and the Joint Compromise executed among themselves.



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4.The grievance of the respondent is that pending divorce petition, they have compromised the matter, hence the petitioner may be directed to appear regularly for the hearings before the Family Court, Chennai in the mutual divorce petitioner till the petition is disposed. On such undertaking, there is no objection for quashing the F.I.R in Crime No.28 of 2021.

5.Learned counsel for the petitioner would also undertake to appear regularly before the Family Court until the divorce petition is disposed.

6.As far as the parties have settled the matrimonial dispute among themselves and the amount agreed by them has also been paid fully and which fact was not disputed by the 2nd respondent / defacto complainant, continuing the prosecution is only a futile exercise.

7.Perused the Joint Memo of Compromise filed by the parties and signed by the petitioners and the second respondent and also by their



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respective counsel. All the parties are present and identified by their respective counsel and the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card are made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

8. 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.280 of 2018.

9. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.28 of 2021 dated 22.11.2021 registered for the offence under Sections 498(A), 406, 354C and 506(i) I.P.C. on the



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file of the 1st respondent is hereby quashed. The terms of Joint Memo of Compromise dated 03.02.2022 shall form part and parcel of this Order. Consequently, the connected miscellaneous petition is closed.

11.07.2022

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Index: Yes / No

Internet : Yes / No

Speaking / Non Speaking order

Note: Issue order copy on 14/7/2022

To

1.The Inspector of Police
All Women Police Station
Thirumangalam
Chennai

2.The Public Prosecutor
High Court of Madras
Chennai 600 104



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N.SATHISH KUMAR, J.

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