



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.7060 OF 2022

Brindha

... Petitioner/Accused

Vs.

1. The Inspector of Police, (Crime),
T15 SRMC Police Station,
Chennai.
(Crime No.111 of 2022)

... 1st Respondent/Complainant

2. Mrs.Anuradha

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the First Information Report in Crime No.111 of 2022 under Section 380 of IPC dated 14.02.2022 on the file of the Respondent No.1 and quash the same as illegal.

For Petitioner : Mr.V.Manikandan

For Respondent 1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed to call for the records pertaining to the First Information Report in Crime No.111 of 2022 under Section 380 of IPC dated 14.02.2022 on the file of the respondent Police and quash the same.

2.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.



3. A Joint Compromise Memo has been filed before this Court, which has been signed by the defacto complainant/2nd respondent and the petitioner and also by their respective Counsels. The petitioner and the second respondent were also present in person before this Court and parties are identified by their respective Counsel. This Court also enquired both the parties and satisfied that the parties have come to an amicable settlement between themselves.

4. The relevant paragraphs of Joint Compromise Memo is extracted here under :-

"3. That on receipt of the Complaint from defact complainant, same has been registered as Crime no.111 of 2020 dated 14.02.22 for the offence punishable under Section 380 of Indian penal Code and the Petitioner was arrested and subsequently she was released on bail by Learned Judicial Magistrate No.1, Poonamallee.

4. That during the pendency of the criminal proceedings, petitioner and defacto complainant arrived at a compromise in the presence of their family elders. Since matter settled outside the court, the defacto complainant ready to withdraw the criminal proceedings pending against as the Petitioner.

5. That Petitioner has settled the dispute amicably with the Defacto Complainant out of the court. Hence the First Information Report need not proceed further and may be quashed on the ground that the matter has been settled amicably."

5. Under such circumstances, this Court is of the opinion that 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.111 of 2022.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.111 of 2022, 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.

* Herein Enclosed the Xerox Copy of the Joint Compromise Memo dated 21.03.2022

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

nti/nr

To

1. The Inspector of Police, (Crime),
T15 SRMC Police Station,
Chennai.
2. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.V.Manikandan, Advocate, S.R.No.22606

Cr1.O.P.No.7060 of 2022

GPL(CO)
RLP(02/05/2022)