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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.6943 OF 2022

Raja

... Petitioner

Vs.

1. State Rep by
Inspector of Police,
W-8, All Women Police Station,
Thirumangalam, Chennai.
Crime No.2 of 2020

2. Sathiyavani

... Respondents

PRAYER: This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to quash the FIR in Crime No.2 of 2020, dated 05.02.2020 initiated by the 1st respondent Police under Section 498(A) of IPC altered with Section 3(1)(r)(s) of SC/ST Act proper in the circumstances of the case.

For Petitioner : Mr.T.Vijayan

For R1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor.

O R D E R

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.2 of 2020 on the file of the respondent police, for the offences punishable under Section 498(A) of IPC.

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. Learned Counsel for the respondent would submit that due a matrimonial dispute, a complaint was given against the petitioner. Now, the parties have compromised the issues and matter has been settled and divorce had also been granted under Section 13(B) of Hindu Marriage Act. He would submit that though the complaint has been given under Section 3(1)(r)(s) of SC/ ST Act 1989, the 2nd respondent/de facto complainant is not pressing the charges against the petitioner. The 2nd respondent / de facto complainant is present before this Court. He would further submit that marriage has also been dissolved by mutual consent in H.M.O.P.No.1399 of 2021 before learned II Additional Judge, Family Court.

4. An affidavit has been filed before this Court, which has been signed by the second respondent and her counsel. The petitioner and the second respondent were also present in person before this Court. This Court also enquired parties of both side 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 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.2 of 2020.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.2 of 2020 on the file of the first respondent police, is quashed.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

nti/nr

To

1. The Inspector of Police,
W-8, All Women Police Station,
Thirumangalam, Chennai.



2. The Public Prosecutor,
High Court of Madras.

+4ccs to Mr.T.Vijayan, Advocate, S.R.No.20947

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PMK(CO)
RLP(18/04/2022)