



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.8203 of 2022

and

Cr1.M.P.No.4778 of 2022

Padmavathy

...Petitioner

-Vs-

1. State rep by,
The Inspector of Police,
N-1 Royapuram Police Station,
Chennai - 600 013.
(Crime No.1647 of 2021)

2. Shyamala

...Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, praying to call for the records in FIR.No.1647 of 2021 dated 07.12.2021 pending on the file of the 1st respondent police and quash the same.

For Petitioner :M/s.G.Abraham Prabhu for
M/s.Vat Legal

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

O R D E R

This Criminal Original Petition has been filed to call for the records in FIR.No.1647 of 2021 dated 07.12.2021 pending on the file of the 1st respondent police and quash the same.

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

3.A Joint affidavit has been filed before this Court, which have been signed by the petitioner and the 2nd respondent/defacto complainant and both the parties are present before this Court and they were 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. The contents of the Joint Affidavit is extracted hereunder:-

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'1.1. We submit that we are the Petitioner and the Second Respondent in the above CrI.O.P respectively and as such affirm to this Affidavit . Conversant with the facts of the case and acquainting ourselves with the relevant records, we are affirming to this Affidavit, setting forth all true and relevant facts for the benign consideration of this Hon'ble Court to render Justice.

2.We submit that the Respondent herein had preferred a complaint against the petitioner herein. We submit that based on the said complaint an FIR No.1647 of 2021 dated 07.12.2021 was registered on the file of the Respondent for commission of alleged offences u/s.328, 380 and 448 of IPC.

3.We submit that in the meantime, upon the advice of family members, friends, and considering that we have recovered the jewels and the age of the Petitioner and she being physically challenged, we had agreed to amicably settle the issues and not to condone the acts of each other vide this Joint Affidavit.

4.We submit that in view of the compromise arrived between us, this Hon'ble court may be pleased to drop all charges against the petitioner here in FIR No:1647 of 2021 on the file of N-1 Royapuram Police Station. We further that the Respondent does not have any objection to quash the FIR No.1647 of 2021 on the file Respondent and will not proceed further against the Petitioner. We further submit that we do not have any future claim against each other with respect to the complaint given by the Respondent against the Petitioner herein."

4. Under such circumstances, no useful purpose will be served in keeping the proceedings in FIR.No.1647 of 2021 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. quash the proceedings in FIR.No.1647 of 2021.



5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in FIR.No.1647 of 2021 on the file of the 1st respondent police, is quashed and the Joint affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

(*)Herein enclosed the xerox copy of the Joint Affidavit.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

jas/tsh

To

1. The Inspector of Police,
N-1 Royapuram Police Station,
Chennai - 600 013.
2. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.8203 of 2022 and
Crl.M.P.No.4778 of 2022

SV[co]
NSK 11/05/2022