



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.8952 OF 2022

AND

CRL.M.P.NOS.5217 & 5218 OF 2022

E.Meenakshi

... Petitioner/Accused

-Vs-

1. State by,
The Sub-Inspector of Police,
R-5, Virugambakkam Police Station,
Virugambakkam, Chennai - 600 093.
Cr.No.69 of 2018.

... 1st Respondent/Complainant

2. Sangeetha

... 2nd Respondent/Defacto Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, praying to call for the records in C.C.No.106 of 2021, on the file of 23rd Metropolitan Magistrate, Saidapet, Chennai and quash the same.

For Petitioner	:	Mr.B.Manoharan
For Respondents	:	Mr.A.Gokulakrishnan Additional Public Prosecutor for R1 Mr.V.S.Mannarsamy for R2

O R D E R

This Criminal Original Petition has been filed to call for the records in C.C.No.106 of 2021, on the file of 23rd Metropolitan Magistrate, Saidapet, Chennai and quash the same.

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

3. The petitioner and the second respondent were also present in person before this Court and they were identified by



the respondent Police and by the learned counsel for the petitioner. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The second respondent filed an affidavit to that effect. The relevant portion of the affidavit filed by the second respondent dated 28.04.2022 is extracted hereunder:

"2. I states that due to misguidance I gave complaint to the 1st respondent on 27.01.2018 and I myself withdraw complaint vide my letter dated 20.06.2018 given to the 1st respondent stating that the dispute settled amicably and also requested not to proceed further. Now, I am informed that the 1st respondent filed final report and same was taken on file in C.C.No.106 of 2021 on the file of 23rd Metropolitan Magistrate, Saidapet, Chennai. I filing herewith the copy of the letter and my aadhar card No.

3. I state that as stated supra the dispute is settled and hence I prayed this Hon'ble Court to quash the above C.C.No.106 of 2021 on the file of 23rd Metropolitan Magistrate, Saidapet, Chennai."

4. 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 proceedings in C.C.No.106 of 2021.

5. Accordingly, these Criminal Original Petition is allowed and as a sequel, the proceedings in C.C.No.106 of 2021 on the file of 23rd Metropolitan Magistrate, Saidapet, Chennai, is quashed and the affidavit filed by the second respondent shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

* Herein Enclosed the Xerox Copy of the Affidavit of Second Respondent.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

gsk



To

1. The 23rd Metropolitan Magistrate,
Saidapet, Chennai.
2. The Sub-Inspector of Police,
R-5, Virugambakkam Police Station,
Virugambakkam, Chennai - 600 093.
3. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.Manohar, Advocate, S.R.No.30031

Crl.O.P.No.8952 of 2022
and
Crl.M.P.Nos.5217 & 5218 of 2022

AK-II (CO)
RLP (19/05/2022)