



CrI.O.P.No.31556 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2022

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.31556 of 2022

M.Kamalanathan

... Petitioner

Vs.

1. The State Rep by,
The Inspector of Police,
K-11, CMBT Police Station,
Koyambedu,
Chennai.
Crime No.543 of 2020

2. A.Latha

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to call for records in Crime No.543 of 2020 on the file of the K-11 CMBT Police Station, Koyambedu, Chennai and to quash the entire proceedings against the petitioner.

For Petitioner : Mr.S.Ravindranath

For R1 : Mr.S.Santhosh
Government Advocate (Criminal side)



WEB COPY



Crl.O.P.No.31556 of 2022

ORDER

This Criminal Original Petition has been filed to call for records in Crime No.543 of 2020 on the file of the K-11 CMBT Police Station, Koyambedu, Chennai and to quash the entire proceedings against the petitioner.

2. The learned counsel for the petitioner submitted that the petitioner and the second respondent/defacto complainant are present before this Court. He submitted that the petitioner and the second respondent have resolved their dispute and the second respondent has no objection for quashing the same. Hence, he seeks for quashing the FIR in Crime No.543 of 2020 registered for the offence under Sections 323 & 324 of IPC.

3. The learned Government Advocate (Crl.Side) submitted that 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. .

4. A Joint Memo of Compromise has been filed before this Court, which



CrI.O.P.No.31556 of 2022

have been signed by the petitioner and the second respondent and also by the learned counsel for the petitioner.

5. The petitioner and the second respondent were also present in person before this Court and they were identified by **Mr.R.Parthiban, Sub Inspector of Police, K-11, CMBT Police Station, Koyambedu, Chennai**. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The second respondent answered this Court that she does not want to prosecute the petitioner and she has no objection for quashing the proceedings.

6. Considering the fact that the petitioner and the second respondent resolved the dispute and the second respondent does not want to prosecute the the petitioner and he has no objection for quashment of proceedings, no useful purpose will be served in keeping the First Information Report pending, even though one of the offence involved is 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



Crl.O.P.No.31556 of 2022

exercise of its jurisdiction under Section 482 Cr.P.C., quashes the First Information Report in Crime No.543 of 2020.

7. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.543 of 2020, on the file of the first respondent police is quashed and the joint compromise memo dated 20.06.2022 shall form part and parcel of this order.

22.12.2022

Sma

Index:Yes/No

Speaking/Non speaking order



CrI.O.P.No.31556 of 2022

To

1. The Inspector of Police,
K-11, CMBT Police Station,
Koyambedu,
Chennai.
2. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.31556 of 2022

G.CHANDRASEKHARAN.J.,

Sma

Crl.O.P.No.31556 of 2022

22.12.2022