



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.01.2022
CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.25981 of 2021

1. D.Giridharan
2. T.Dakshinamurthy
3. D.SenthamilSelvi

...Petitioners/A1 to A3

Versus

1. The State
Represented by Inspector of Police
Tambaram All Women Police Station
Tambaram.

2. A.V.Vaishali

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in Crime No.32/2019 dated 24.10.2019 pending on the file of the 1st respondent, quash the entire proceedings.

For Petitioners : Mr.D.Senthil Kumar

For Respondents : Mr.E.Raj Thilak

Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed to call for the records in Crime No.32/2019 dated 24.10.2019 pending on the file of the 1st respondent, quash the entire proceedings..

2.The case of the prosecution is that the second respondent is the wife of the first petitioner and the petitioners 2 and 3 are the in laws of the 2nd respondent. The petitioners demanded dowry from the second respondent family and apart from that, few years after marriage the first petitioner behaviour got changed and he got addicted to bad vices, which was supported by the petitioners 2 and 3. On 11.07.2019 the second respondent was thrown away from the matrimonial house and further the first petitioner threatened the second respondent



not to give any complaint against him and his family. Hence, the complaint.

3.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 compromise affidavit dated 05.01.2022 has been filed by the second respondent/de-facto complainant. In the said Affidavit, it is stated that as per the advice of both the family elders the first petitioner and the de-facto complainant arrived at an compromise and based on the said compromise, the first petitioner and the second respondent got divorce by mutual consent in O.P.No.4873 of 2019 on 21.01.2021

5. The learned Additional Public Prosecutor submitted that the the second respondent appeared before the respondent police along with her identity and address proof and stated that she has no objection in quashing the proceedings in the aforesaid crime number. The respondent police also enquired her and was satisfied that the parties have come to an amicable settlement between themselves and to that effect, the letter of the respondent police is also filed before this Court.

6.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 Guj Rath), and after exercising due caution as advised by the Hon'ble Supreme Court in The State of Madhya Pradesh v. Dhruv Gurjar and Another reported in (2019) 2 MLJ Cr1 10), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the First Information Report in Crime No.32of 2019, on the file of the 1st respondent Police.

6.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No. 32 of 2019, on the file of the 1st respondent police, is quashed against the petitioners.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar



arr
To

1. The Inspector of Police
Tambaram All Women Police Station
Tambaram.

2. The Public Prosecutor,
High Court, Madras.

+3 Ccs to Mr.Senthil Kumar, Advocate sr 1892.

Crl.O.P.No.25981 of 2021

PCH(CO)
SP(11/02/2022)