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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2022

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.Nos.26137 & 25657 of 2022

Sugin ... Petitioner
[in Crl.O.P.No.26137/2022]

1.Sumidha Sobi
2.Gnana Selvi
3.Sobi Dhas ... Petitioners
[in Crl.O.P.No.25657/2022]

versus

1.State represented by:
The Inspector of Police,
T-10, Thirumullaivoyal Police Station,
Thiruvallur District,
Chennai - 600 062.
(Crime No.145 of 2020)

2.B.Gohin ... Respondents
[in both Crl.O.Ps]

COMMON PRAYER: Criminal Original Petitions filed under Section 482 of the Criminal Procedure Code, praying to call for the records in Crime No.145 of 2020 on the file of the first respondent and quash the same.



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For Petitioners : Mr.N.Suriyamuthu
[in both Crl.O.Ps]

For Respondent No.1 : Mr.E.Raj Thilak
[in both Crl.O.Ps] Additional Public Prosecutor

For Respondent No.2 : Mr.K.Gokulram
[in both Crl.O.Ps]

COMMON ORDER

These Criminal Original Petitions have been filed to quash the F.I.R. in Crime No.145 of 2020 on the file of the first respondent police.

2. The petitioners are A-1 to A-4 in the above crime number. The first petitioner in Crl.O.P.No.25657/2022 is the wife and the petitioners 2 and 3 are her parents and the petitioner in Crl.O.P.No.26137/2022 is the brother-in-law of the second respondent / *de facto* complainant. On the complaint given by the second respondent / *de facto* complainant, a case has been registered in Crime No.145 of 2020 on the file of the first respondent police for the offences under Sections 294(b), 341, 324 IPC against the petitioners herein.



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3. The *de facto* complainant has filed an affidavit by stating that himself and the second accused namely Sumidha Sobi got married on 25.05.2018 and thereafter lot of misunderstanding arose between themselves and they had resulted in lot of mutual complaints. However, the *de facto* complainant has stated that the second accused and himself had filed a petition for divorce by mutual consent in I.D.O.P.No.3693 of 2022 before the II Additional Family Court, Chennai and they have got the order of divorce as well.

4. When these matters were taken up today, the petitioners and the second respondent / *de facto* complainant were present and they were identified by their respective counsels. The terms of compromise were read over to the petitioners and the second respondent. They accepted it to be true and that they had entered into such terms between themselves without any coercion or influence.

5. Since the second respondent and the second accused had dissolved their marriage and severed their relationship and had chosen to put



an end to all the litigations pending between themselves, I feel it is appropriate to allow them to live in peace and choose their own way without making any interference in each other's life.

6. In the light of the guidelines given by the Hon'ble Supreme Court in *Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath* reported in **(2017) 9 SCC 641**, this Court feels it is appropriate to exercise its power under Section 482 Cr.P.C. to quash the proceedings in Crime No.145 of 2020 pending on the file of the first respondent police.

7. In the result, these Criminal Original Petitions are allowed and as a sequel, the proceedings in Crime No.145 of 2020 on the file of the first respondent police, is quashed. The Joint Compromise Memo shall form part of this Order.

21.11.2022

Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

sri



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- 1.State represented by:
The Inspector of Police,
T-10, Thirumullaivoyal Police Station,
Thiruvallur District,
Chennai - 600 062.
- 2.The Public Prosecutor,
Madras High Court,
Chennai.



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R.N.MANJULA, J.

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