



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.26034 of 2021

S.Valarmathi

... Petitioner

Versus

State rep. By

1.The Inspector of Police,
Thiruvarur Town Police Station,
Thiruvarur District.
(Crime No.321 of 2019)

2.M.Vasanthi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in Crime No.321/2019 pending on the file of the 1st respondent to quash the same in view of the compromise entered into both parties.

For Petitioner :Mr.P.Muthamizhselvakumar

For Respondent :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.321/2019 on the file of the 1st respondent to quash the same in view of the compromise entered into between both parties.

2.The case of the prosecution is that on the date of occurrence i.e., on 07.09.2019 there was a dispute between the second respondent's son and his wife and as mother-in-law, the second respondent intervened to solve the dispute, for which her daughter-in-law made a phone call to her mother i.e., the petitioner and narrated the same. Thereafter, the petitioner came to the house of the second respondent/de-facto complainant and abused her in filthy language and attacked her using hands, as a result of which the second respondent/de-facto complainant got admitted into the hospital. Hence, the case.



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.

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4. A Joint Compromise Memo dated 21.12.2021 has been filed by the de-facto complainant. In the Joint Compromise Memo, it is stated that now the petitioner and the defacto complainant voluntarily entered into the compromise and the issue has been settled between them without any third party influence or compulsion.

5. The learned Additional Public Prosecutor submitted that the petitioner and the second respondent appeared before the respondent police along with their identity and address proof. The respondent police also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves and to that effect, the proceedings of the respondent police dated 08.01.2022 has been 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 Gujrath), and after exercising due caution as advised by the Hon'ble Suprme 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.321 of 2019, on the file of the 1st respondent Police.

7.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No. 321 of 2019, on the file of the 1st respondent police, is quashed against the petitioner.

SD/-

ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR



To

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- 1.The Inspector of Police,
Thiruvaurur Town Police Station,
Thiruvarur District.
- 2.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.26034 of 2021

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