



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.25806 of 2021

and

Cr1. MP. No.14353 of 2021

G.Vetriselvan

... Petitioner / Accused

Versus

1.The State rep. By
The Inspector of Police
Peralam Police Station,
Nannilam Taluk,
Thiruvarur District.
(Crime No.1127 of 2021)

...1st Respondent / Complainant

2.N.Ganesan

...2nd Respondent / Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to F.I.R. in Crime No.1127 of 2021 on the file of the Inspector of Police, Peralam Police Station, Thiruvarur District and quash the same.

For Petitioners : Mr.N.R.Elango for
Mr.R.Vivekananthan

For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor
for R1
Mr.V.Parthiban for R2

O R D E R

The Criminal Original Petition has been filed to call for the records relating to Crime No.1127 of 2021 on the file of the first respondent and quash the same.

2. The case of the prosecution is that the 2nd respondent's daughter after giving birth to a female child, due to difference of opinion, got separated from her husband. She had started



residing with the 2nd respondent and was divorced by her husband a year back. Her state of mind has worsened when her husband married another girl. On 04.12.2021, she had consumed poison and she was admitted as inpatient in Myladuthurai Government Hospital and while she was in treatment, she died on 05.12.2021. Based on the complaint given by the 2nd respondent, the 1st respondent police registered the case in Crime No.1127/2021 for the offence under Section 174 Cr.P.C. Subsequently, altered to 306 IPC.

3. The case is still at the stage of investigation. By passage of time, the parties have decided to compromise the dispute amicably among themselves.

4. The Affidavit dated 19.01.2022 has been filed by the 2nd respondent/de-facto complainant before this Court. The 2nd respondent and petitioner present through Video conferencing. In the affidavit, it has been stated that the petitioner and the second respondent have entered into a compromise and amicably settled their issues in Crime No.1127 of 2021. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending. Even though, 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., inclined to quash the First Information Report in Crime No.1127 of 2021.

6. In the result, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1127 of 2021, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. Connected Miscellaneous Petition is closed.

(*) Herein enclosed the xerox copy of the Affidavit

Sd/-
Assistant Registrar

True Copy//

Sub Assistant Registrar

rkp



To

1. The Inspector of Police
Peralam Police Station,
Nannilam Taluk,
Thiruvarur District.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Vivekananthan, Advocate, S.R.No.3739

+1cc to Mr.V.Parthiban, Advocate, S.R.No.3441

CRL.O.P.No.25806 of 2021
and
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GPL[co]
NSK 07/02/2022