



WEB COPY

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.26031 OF 2021

- 1.V.Dhivagar
2. Dhivya
- 3.K.Vijayabhaskar

... Petitioners

Versus

1. The State of Tamil Nadu,
Rep. by the Inspector of Police,
All Women Police Station,
Nanilam,Thiruvvarur District.
2. D.Dhivya.

... Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in FIR No.16 of 2021 on the file of the 1st respondent and quash the same.

For Petitioners	:	Ms.S.Sasikala
For Respondents	:	Mr.E.Raj Thilak
		Additional Public Prosecutor
		M/s.B.Raji for R2

O R D E R

The Criminal Original Petition has been filed to call for the records in FIR No.16 of 2021 on the file of the 1st respondent and quash the same.

2.The case of the prosecution is that the first petitioner, under the guise of marrying the second respondent had sexual intercourse with her and thereafter refused to marry her. When the same was brought to the knowledge of the second respondent's mother, on 10.11.2021, when the second respondent along with her mother approached the petitioners residence, the 2nd and 3rd



petitioners illtreated them and scolded them in filthy language. 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. An Affidavit of de-facto complainant dated 05.01.2022 has been filed by the de-facto complainant. In the said affidavit, it is stated that now the first petitioner married the defacto complainant and leading a happy married life and the issue has been settled between them.

5. The learned Additional Public Prosecutor submitted that the first petitioner and the second respondent appeared before the respondent police and 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 letter dated 18.12.2021 given by both the first petitioner as well as the de-facto complainant 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 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.16 of 2021, on the file of the 1st respondent Police.

7. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No. 16 of 2021, on the file of the 1st respondent police, is quashed against the petitioners.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ARR



To

1. The Inspector of Police,
All Women Police Station,
Nanilam, Thiruvarur District.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Ms.S.Sasikala, Advocate, S.R.No.1885

+1cc to M/s.B.Raji, Advocate, S.R.No.1884

Crl.O.P.No.26031 of 2021

PCH(CO)
PM/17/02/2022