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Crl.O.P.No.26869 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2022

CORAM:

THE HONOURABLE MS JUSTICE R.N.MANJULA

Crl.O.P.No.26869 of 2022

1.P.Lokesh

2.Sathish @ Sathish Kumar

... Petitioners

Vs.

1.The State Rep.by

The Inspector of Police,
Royakottai Police Station,
Krishnagiri District.
(Crime No.73/2021)

2.Kalaivani

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to call for the records in Crime No.73/2021 pending on the file of 1st respondent and quash the same in view of the compromise entered into both parties.

For Petitioners : Mr. P. Muthamizh Selvakumar
For Respondents : Mr. E. Raj Thilak, for R1
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to call for the records in Crime No.73 of 2021 pending on the file of first respondent police and quash the same.

2. Heard Mr. P. Muthamizh Selvakumar, learned counsel for the petitioners and Mr.E.Raj Thilak, learned Additional Public Prosecutor appearing for the first respondent and the second respondent, Mrs.Kalaivani, party-in-person.

3. A Joint Memo of Compromise has been filed before this Court which has been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent are also present before this Court and they are identified by Mr.M.Inbasekar, AC1029, Royakottai Police Station. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card and it is made part of the record.



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4. When the matter is taken up today, the learned counsel for the petitioners submitted that the defacto complainant and the petitioners have settled their disputes between themselves.

5. The petitioners have been charged for the offences under Sections 294(b), 506(i) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. Except Section 506(i) IPC, the other 2 penal provisions are non compoundable in nature. But the petitioners and the defacto complainant who are relatives, have decided to purchase peace and bury their hatchet.

6. Learned Additional Public Prosecutor appearing for the first respondent submitted that since the defacto complainant and the petitioners are residing in the same area, there are possibilities that the accused would cause harassment, taking advantage of the quashing of the FIR.

7. No useful purpose will be served in keeping the proceedings pending. In the light of the guidelines given by the Hon'ble Supreme Court



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reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State**

of Gujrath), I feel, this Court should exercise its power under Section 482 Cr.P.C., to quash the FIR in Crime No.73 of 2021, on the file of the 1st respondent.

8. In the result, this Criminal Original Petition is allowed and as a sequel, the FIR in Crime No.73 of 2021 on the file of the 1st respondent, is quashed. The Joint Compromise Memo shall form part of this order.

04.11.2022

AT

Index:yes/No

Speaking Order / Non speaking order

To

1.The Inspector of Police,
Royakottai Police Station,
Krishnagiri District.

2.The Public Prosecutor
High Court of Madras.



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R.N.MANJULA,J.

AT

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