



Crl.O.P No.29512 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **01.12.2022**

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P Nos.29512 & 7718 of 2022
and Crl.M.P. No.4462 of 2022

M.Sridhar Lal ... Petitioner in Crl.O.P. No.29512 of 2022

1. Sheela

2. Munmohan Lal

3. Deepika

... Petitioners in Crl.O.P. No.7718 of 2022

Vs.

1. The State rep. by
The Inspector of Police,
Central Crime Branch,
Veppery, Chennai - 600 007.

2. Girija Kirubalini

... Respondents in both petitions

COMMON PRAYER: Criminal Original Petitions are filed under Section 482 of Criminal Procedure Code, to call for the record and quash the proceedings in C.C. No.153/2022 on the file of the Chief Metropolitan Magistrate Court, Egmore, Chennai against the petitioner / first accused.



In both petitions:

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For Petitioner(s) : Mr.R.Varadaraj

For Respondent-1 : Mr. E.Raj Thilak
Additional Public Prosecutor

2 : Mr.R.Vijayakumar

COMMON ORDER

These Criminal Original Petitions have been filed to call for the records and quash the proceedings in C.C. No.153/2022 on the file of the Chief Metropolitan Magistrate Court, Egmore, Chennai against the petitioner / first accused.

2. Heard Mr.R.Varadaraj, learned counsel for the petitioners, Mr.E.Raj Thilak, learned Additional Public Prosecutor appearing for the first respondent and Mr.R.Vijayakumar, learned counsel for the second respondent.

3. The case has arisen out of a civil dispute between the family members. The *de facto* complainant is the sister of the first accused, the



second accused is wife of the first accused and the third and fourth accused are the son and daughter of the first accused respectively.

4. The learned counsel for the petitioners submitted that the *de facto* complainant and the petitioners have amicably settled the matter between themselves by burying the hatchets and have entered into a joint compromise memo by stating that they have settled the dispute among themselves; in view of the same, the *de facto* complainant does not want to pursue the matter further.

5. When the matter is taken up today, the petitioners / accused 1,2&3 and the *de facto* complainant were present before this Court and they were identified by their respective counsel and Ms.M.Sheela Rani, Inspector of Police, Team 27, Forgery Investigation Wing, CCB, Chennai. In order to identify the respective parties, they have also produced the copies of their Aadhaar Cards. A4 who is said to be the daughter of the first accused is not present and it is stated that she is residing at United States. The second respondent defacto complainant has stated that she had signed the compromise memo without any threat or coercion.



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6. As the matter was referred to mediation, the parties have amicably settled the issues between themselves. The *de facto* complainant who is the sister of the first accused have settled all the family disputes including the matter involved in this case and they wanted to go in peace.

7. The learned Additional Public Prosecutor submitted that there is no previous case pending against the petitioners.

8. Taking into consideration of the relationship between the petitioners / accused and the *de facto* complainant and their intention to restore the relationship, I feel it is appropriate to allow the parties to live in peace.

9. In view of the compromise, no useful purpose will be served in keeping the proceedings pending. Though, the offences involved are not compoundable in nature. Therefore, 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)**, this Court in exercise of power under Section 482 Cr.P.C. prefers to quash the proceedings in C.C. No.153/2022 on the file of the Chief Metropolitan Magistrate Court, Egmore, Chennai.



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8. In the result, these Criminal Original Petitions are allowed and as a sequel, the proceedings in C.C. No.153/2022 on the file of the Chief Metropolitan Magistrate Court, Egmore, Chennai. The Joint Compromise Memo dated 04.11.2022 entered into between the parties shall form part of this order. Connected miscellaneous petition is closed.

01.12.2022

Index : Yes/No
Speaking Order : Yes / No
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To:

1. The Inspector of Police,
Central Crime Branch,
Veppery, Chennai - 600 007.

2. The Public Prosecutor,
High Court, Madras.



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R.N.MANJULA, J.,

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