



CrI.O.P.No.29837 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2022

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.29837 of 2022

1. Annadurai
2. Rajasekar

... Petitioners

Vs.

1. The State represented by
The Inspector of Police
D-2, Thiruvallangadu Police Station,
Thiruvallur District.

2. Deepa

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to call for records relating to the FIR in Crime No.150 of 2016 pending on the file of 1st respondent viz., The Inspector of Police, Thiruvallangadu Police Station, Thiruvallur District and Quash the same.

For Petitioners : M/s.D.Bennington

For Respondent : Mr.S.Santhosh
Government Advocate (Criminal side)



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ORDER

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This Criminal Original Petition has been filed, to call for the records in to the FIR in Crime No.150 of 2016 pending on the file of the Inspector of Police, Thiruvallur Police Station, Thiruvallur District in view of the compromise entered into both parties.

2. The learned counsel for the petitioners submitted that the petitioners and the second respondent entered into compromise and the defacto complainant is willing to withdraw proceedings in Crime No150 of 2016. It is seen from the FIR allegations that the first petitioner is said to have made sexual advance to the second respondent through her cell phone, when she informed the fact to her husband, he inturn questioned the accused, for which the petitioners threatened to kill her husband and also throw acid on her face. Now, it is claimed that the accused/petitioners and the defacto complainant/second respondent resolve the dispute and filed a compromise memo and the second respondent is not willing to pursue the proceedings in Crime No. 150 of 2016 registered for the offence under Sections 294(b), 506(i) of IPC and Section 4 of Women Harassment Act. Hence, he seeks for quashment of the FIR.



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3. The learned Government Advocate (Crl.Side) submitted that the case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromised the dispute amicably among themselves.

4. A Joint Memo of Compromise has been filed before this Court, which have been signed by the petitioners and the second respondent and also by the learned counsel for the petitioners.

5. The petitioners and the second respondent were also present in person before this Court and they were identified by **Mr.M.Boobalan, Sub Inspector of Police, D2 Thiruvallangadu Police Station**. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The second respondent answered this Court that she does not want to prosecute the accused.

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



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Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @**

Parbathbhai Vs. State of Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the First Information Report in Crime No.378 of 2019.

7. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.150 of 2016, on the file of the first respondent police is quashed and the terms of joint compromise memo shall form part and parcel of this order.

05.12.2022

Sma

Index:Yes/No

Speaking/Non speaking order



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- To
- 1.The Inspector of Police
D-2, Thiruvalangadu Police Station,
Thiruvallur District.
 2. The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN.J.,

Sma

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