



CrI.O.P.No.31219 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 19.12.2022**

**CORAM**

**THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN**

**CrI.O.P.No.31219 of 2022**

1.Prem alias Prem Kumar

2.Prema

3.Prema Marumagal alias Malathi  
Vs.

... Petitioners

1.The State rep. by  
The Inspector of Police,  
N-1, Royapuram Police Station,  
Royapuram,  
Chennai 600 013.

2.S.Sumathi

... Respondents

**PRAYER:** This Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in Crime No.150 of 2022, dated 21.03.2022 pending on the file of the first respondent police and quash the same against these petitioners/accused.



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For Petitioners : Mr.V.Kanagaraj  
For Respondent : Mr.S.Santhosh for R1  
Government Advocate (Criminal side)

### **ORDER**

This Criminal Original Petition has been filed to quash the FIR in Crime No.150 of 2022, dated 21.03.2022 pending on the file of the first respondent police .

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 the proceedings in Crime No.150 of 2022. It is further submitted that the defacto complainant and the petitioner had resolved their dispute and the defacto complainant does not want to proceed with this case. Hence, the present petition has been filed.

3. The learned Government Advocate (Crl.Side) for the first respondent 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.



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

5. The petitioners and the second respondent were also present in person before this Court and they were identified by **Mr.K.P.Ganesan, Sub Inspector of Police, N1 Royapuram Police Station**. This Court also enquired both the parties and is 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 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.150 of 2022.



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**G.CHANDRASEKHARAN.J.,**

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7. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.150 of 2022, 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.

**19.12.2022**

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Index:Yes/No

Speaking/Non speaking order

To

1.The Inspector of Police,  
N-1, Royapuram Police Station,  
Royapuram,  
Chennai 600 013.

2. The Public Prosecutor,  
High Court of Madras.

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