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Crl.O.P.No.8670 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.8670 of 2023

- 1.Manikandan
- 2.Lourda
- 3.Sakthivel
- 4.Chandira @ Priya

...Petitioners

Vs.

- 1.The State represented by
The Inspector of Police,
Melmaruvathur All Women Police Station,
Chengalpattu District.
(Crime No.05 of 2022)

- 2.Sasikala

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to the First Information Report in Crime No.05 of 2022 on the file of the first respondent herein, quash the same.

For Petitioners	: Mr.G.Mageshkumar
For R-1	: Mr.S.Santhosh Government Advocate (Criminal side)
For R-2	: Ms.V.Bhavani



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ORDER

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This Criminal Original Petition is filed to call for the records relating to the First Information Report in Crime No.05 of 2022 on the file of the first respondent herein and quash the same.

2. Learned counsel for the petitioners submitted that, 1st petitioner is the husband of the defacto complainant, 2nd petitioner is the mother-in-law, 3rd petitioner is the brother-in-law and 4th petitioner is the wife of 3rd petitioner. It is seen from the First Information Report allegations that, petitioners have committed physical harassment against the defacto complainant and scolded her in filthy language. Therefore, First Information Report in Crime No.5 of 2022 was registered for the offences under Sections 498A, 312, 294(b) and 506(i) of IPC and 4 of Tamil Nadu Dowry Prohibition Act, 1961 and 66E and 67 of Information Technology Act, 2000. Petitioners and 2nd respondent/defacto complainant filed Joint Memo of Compromise stating that, due to the intervention of friends and relatives, the misunderstanding between the parties is resolved. The 1st petitioner and 2nd respondent/defacto complainant are living together. A consent affidavit is also filed in this regard. Therefore, he seeks for quashing the First Information Report in Crime No.05



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of 2022 on the file of the first respondent herein.

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3. The learned Government Advocate (Crl.Side) submitted that, by passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4. A Joint Memo of Compromise dated 10.04.2023 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 parties.

5. The petitioners and the second respondent were also present in person before this Court and they were identified by **Ms.G.Amudha, SI, AWPS, Melmaruvathur**. 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 had entered into a Memorandum of compromise with the petitioners and she has no objection for quashing the First Information Report in Crime No.05 of 2022 on the file of the first respondent herein.



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6. Considering the fact that, the issue between the parties relates to matrimonial issue and that the second respondent does not want to prosecute the case against the petitioners and that she has no objection for quashment of proceedings and also considering that the offences are compoundable offence, no useful purpose will be served in keeping the First Information Report in Crime No.05 of 2022 on the file of the first respondent herein against the petitioners.

7. 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.05 of 2022 on the file of the first respondent herein against the petitioners.

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the First Information Report in Crime No.05 of 2022 on the file of the first respondent herein against the petitioners is quashed and the terms of joint



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compromise memo shall form part and parcel of this order.

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Internet :Yes

Index :Yes/No

To:

1.The Inspector of Police,
Melmaruvathur All Women Police Station,
Chengalpattu District.

2.The Public Prosecutor,
High Court of Madras.

G.CHANDRASEKHARAN, J.



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