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Crl.O.P.Nos.11831 & 24221 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2023

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THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.Nos.11831 & 24221 of 2022

and

Crl.M.P.Nos.6696 & 15351 of 2022

P.Joel Aloshius @ Joyal

... Petitioner in Crl.O.P.No.11831
of 2022

1.P.Aalen Prashanth

2.P.Amalorpava Sathiya

3.D.Peter Raj

... Petitioners in Crl.O.P.No.24221
of 2022

Vs.

1.The State represented by
The Inspector of Police,
All Women Police Station,
W-9, Villivakkam,
Chennai.

2.Josephine Wence

... Respondents in both Crl.O.Ps

Common Prayer: These Criminal Original Petitions filed under Section 482 of Cr.P.C., to call for records in related to FIR No.3 of 2022 on the file of All Women Police Station, W-9, Villivakam, Chennai and quash the same.



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For petitioners : Mr.G.Mutharasu
(in both Crl.O.Ps)

For R1 : Mr.S.Santhosh
(in both Crl.O.Ps) Government Advocate (Crl.Side)

For R2 : Mr.S.Senthil Kumar
(in both Crl.O.Ps)

COMMON ORDER

These Criminal Original Petitions have been filed to quash the First Information Report in Crime No.3 of 2022 on the file of first respondent police.

2.The allegations in the complaint are that, after the marriage between the second respondent and one P.Aalen Prashanth/A1(first petitioner in Crl.O.P.No.24221 of 2022), he had harassed the second respondent demanding dowry and attacked her while returning the jewels. In this regard, the defacto complainant has lodged a complaint and the same has also been registered against the petitioners in Crime No.3 of 2022 for the offences punishable under Sections 498(A), 342, 323, 406 and 506(1) IPC.



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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.When the matter is taken up for hearing today, a joint memorandum of compromise dated 13.12.2022 has been filed by the petitioners and the second respondent and also by their respective counsel along with the affidavit of the second respondent. The petitioners and the second respondent were also present in person before this Court and they were identified by **Ms.R.Bhuvaneswari, WSSI, W-9 All Women Police Station, Villivakkam, Chennai - 600 049** as well as by the learned Counsels appearing for the parties.

5.It is seen from the joint memorandum of compromise that the parties have resolved their disputes and the second respondent was paid with a sum of Rs.12,00,000/- (Rupees Twelve Lakhs only) and other articles had been returned to her. It is also seen from the joint memorandum of compromise that she does not want to proceed further with the case and she has no objection to quash the FIR against the



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petitioners in Crime No.3 of 2022.

6.This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The parties have reiterated that they have resolved their dispute before the Mediation Centre, High Court of Madras, Chennai and the second respondent submitted that she does not want to prosecute the case against the petitioners and she has no objection for quashing the FIR in Crime No.3 of 2022 on the file of the first respondent.

7.Considering the fact that the petitioners have paid a sum of Rs.12,00,000/- to the second respondent and also returned the other articles 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 main offence is compoundable offence, no useful purpose will be served in keeping the First Information Report pending.

8.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)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the First Information Report in Crime No.3 of 2022.

9.Accordingly, these Criminal Original Petitions stand allowed and as a sequel, the proceedings in Crime No.3 of 2022, on the file of the first respondent police is quashed and the terms of joint compromise memo dated 13.12.2022 shall form part and parcel of this order. Consequently, the connected miscellaneous petitions are closed.

25.01.2023

Index:Yes/No
Speaking/Non speaking order
Neutral Citation Case:Yes/No
sp

To

1.The Inspector of Police,
All Women Police Station,
W-9, Villivakkam,
Chennai.

2.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN.J.,

sp

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