



WEB COPY



Crl.O.P.No.12329 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.12329 of 2023

1.S.Vinodh @ John Jackson
2.Kalvikkarasi
3.Mary Blossom

...Petitioners

Vs.

1.The State,
represented by the Inspector of Police,
W-7, AWPS Anna Nagar East Police Station,
Chennai – 600 102.
(Crime No.03 of 2022)

2.L.Mary Veronica

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in Cr.No.3 of 2022 dated 28.05.2022 pending on the file of the 1st respondent police and quash the same.

For Petitioners : M/s.Sharada Vivek

For R-1 : Mr.Leonard Arul Joseph Selvam
Government Advocate (Criminal side)

For R-2 : M/s.A.V.Ambika



Crl.O.P.No.12329 of 2023

ORDER

This Criminal Original Petition is filed to call for the records in Cr.No.3 of 2022, dated 28.05.2022, pending on the file of the 1st respondent police and quash the same.

2.FIR allegations shows that first petitioner and defacto complainant got married on 29.04.2021. It is alleged in the FIR that first petitioner has illicit relationship with second petitioner. When that was questioned, petitioner started illtreating and harassing the defacto complainant. Not only that, she was harassed by demanding dowry and threatened that she would be put to death.

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. The parties have filed their consent affidavits and a Joint Memo of Compromise dated 12.04.2023 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.



Crl.O.P.No.12329 of 2023

5. The petitioners and the second respondent were also present in person before this Court. 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.03 of 2022, on the file of the first respondent herein.

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, no useful purpose will be served in keeping the First Information Report in Crime No.03 of 2022, on the file of the first respondent herein, pending 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C.,



Crl.O.P.No.12329 of 2023

quashes the First Information Report in Crime No.03 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.03 of 2022, on the file of the first respondent herein against the petitioners, is quashed and the joint compromise memo shall form part and parcel of this order.

13.06.2023

sli

Internet :Yes

Index :Yes/No

Speaking Order/Non-Speaking Order

To:

1. The Inspector of Police,
W-7, AWPS Anna Nagar East Police Station,
Chennai – 600 102.

2. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.12329 of 2023

G.CHANDRASEKHARAN, J.
sli

Crl.O.P.No.12329 of 2023

13.06.2023