



Crl.O.P.No.14541 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.14541 of 2022

1.N.Chandrasekar

2.Manjula

3.Arvind Chandrasekar

... Petitioners

Vs.

1.The Inspector of Police,
W-33 All Women Police Station,
Madhavaram.

2.V.Kruthiekha

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the record in Crime No.3 of 2019, dated 01-09-2022 on the file of the Inspector of Police W-33 All Women Police Station, Madhavaram and quash the same.

For Petitioners	:	Mr.S.Muthaiah
For R1	:	Mr.A.Gokulakrishnan Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.3 of 2019, dated 01.09.2019 on the file of the 1st respondent Police.



CrI.O.P.No.14541 of 2022

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2.Though the petitioners raised several grounds in this Quash Application to quash the FIR, now the same have not been pressed for the reason that the dispute between the petitioners and the 2nd respondent who is none other than the father-in-law, mother-in-law and wife of the petitioners respectively, got resolved. Now, the 3rd petitioner and the 2nd respondent are living separately as husband and wife happily and a Joint Compromise Memo signed by both parties are produced before this Court.

3.Learned Additional Public Prosecutor appearing for the 1st respondent Police submitted that in this case, a compromise arrived between the 2nd respondent and the petitioners, who are the father-in-law, mother-in-law and husband of the 2nd respondent. Ms.R.Abarnadevi, Grade-I Women Constable attached to the 1st respondent Police Station is present before this court and identified the parties. On instructions, it is submitted that the 1st respondent Police were informed about the compromise and the 2nd respondent's intention is to withdraw the complaint and not to pursue the FIR in Crime No.3 of 2019 further. The



Crl.O.P.No.14541 of 2022

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Police have verified the compromise as well as the 3rd petitioner and the 2nd respondent living as husband and wife separately.

4.Today, the 2nd respondent appeared before this Court and reaffirms the compromise entered with the petitioners. She had reconciled to the reality and withdrawing the complaint preferred to the 1st respondent Police and she is not inclined to further pursue the FIR in Crime No.3 of 2019.

5.Considering the submissions and on perusal of the materials and on enquiry with both the petitioners and the 2nd respondent, it is seen that the issue had been resolved between them. The 2nd respondent is living with her husband/3rd petitioner separately and they filed Joint Compromise Memo for no objection to quash the Crime No.3 of 2019, on the file of the 1st respondent Police.

6.Under such circumstances, no useful purpose will be served in keeping the FIR pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the



CrI.O.P.No.14541 of 2022

WEB COPY

Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)**, and after exercising due caution as advised by the Hon'ble Supreme Court in ***The State of Madhya Pradesh v. Dhruv Gurjar and Another*** reported in **(2019) 2 MLJ CrI 10)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., is inclined to quash the FIR in Crime No.3 of 2019, dated 01.09.2019 on the file of the 1st respondent Police. Quashing the FIR would be right to render justice to the parties. Further, the block created to be erased so that they can lead a happy and peaceful marriage life.

7.In view of the above, the FIR in Crime No.3 of 2019, dated 01.09.2019 on the file of the 1st respondent Police is hereby quashed. Accordingly, this Criminal Original Petition is allowed.

20.06.2023

Index: Yes/No
Internet: Yes/No
vv2



CrI.O.P.No.14541 of 2022

WEB COPY

To

1.The Inspector of Police,
W-33 All Women Police Station,
Madhavaram.

2.The Public Prosecutor,
High Court, Madras.



WEB COPY



CrI.O.P.No.14541 of 2022

M.NIRMAL KUMAR, J.
vv2

CrI.O.P.No.14541 of 2022

20.06.2023