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Crl.O.P.No.13068 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.13068 of 2023

1.Raja
2.R.Aruna
3.Mala

...Petitioners

Vs.

1.The State,
Rep by Inspector of Police,
F5, Choolaimedu Police Station,
Choolaimedu, Chennai – 600094.

2.R.Bharathi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in Crime No.744 of 2021, on the file of the 1st respondent police and quash the same.

For Petitioners : M/s.R.Prabhakaran

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

For R-2 : M/s.Rajathi Shameera Begum



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ORDER

This Criminal Original Petition is filed to call for the records in Crime No.744 of 2021, on the file of the 1st respondent police and quash the same.

2.FIR in Crime No.744 of 202, dated 18.10.2021, for the offences under Sections 294 (b), 323, 354, 355 & 506 (ii) IPC, was registered on the complaint given by the defacto complainant alleging that when she asked the petitioners to vacate the house leased to them, petitioners assaulted the defacto complainant with slippers and hands, scolded her in filthy language and death threat was also made against her.

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 09.05.2023 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.



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5. The petitioners and the second respondent were also present in person before this Court and they were identified by **Mr.S.Karthik, Grade-II PC 50323, F5 Choolaimedu Police Station, Choolaimedu, Chennai.** 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.744 of 202, on the file of the first respondent herein.

6. Considering the fact 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.744 of 202, 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.,



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quashes the First Information Report in Crime No.744 of 202, 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.744 of 202, on the file of the first respondent herein against the petitioners, is quashed and the terms of the consent affidavits and joint compromise memo shall form part and parcel of this order.

14.06.2023

sli

Internet :Yes

Index :Yes/No

Speaking Order/Non-Speaking Order

To:

1. The Inspector of Police,
F5, Choolaimedu Police Station,
Choolaimedu, Chennai – 600094.

2.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J.

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