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CrI.O.P.No.19881 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.19881 of 2022

Jeevan @ Jeevan Kumar Doppalapoodi

...Petitioners

vs.

1.The State rep by
The Inspector of Police
F2, Egmore Police Station,
Chennai 600 008.

2.Pichaya

...Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to quash the FIR in Crime No.964 of 2015 dated 19.05.2015 pending on the file of the first respondent.

For Petitioners : Mr.Mohammed Aasif

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor, for R1

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.964 of 2015 dated 19.05.2015 pending on the file of the first respondent.



CrI.O.P.No.19881 of 2022

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2. The case is still at the stage of investigation. The parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. The Joint Memo of Compromise and the affidavit of the *de facto* complainant have been filed before this Court which have been signed by the petitioner and the second respondent/*de facto* complainant and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court. In the joint compromise memo it has been stated that the petitioner and the second respondent had entered into a compromise and amicably settled their issues in Crime No.964 of 2015. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. The defacto complainant, who is the father of the victim girl/Thulasiamma was present before this Court. He submitted that his daughter was married to the petitioner in the year 2016 and had two children through marriage named as Isaac Richard and Jesicca. He further submitted that the victim girl is living happily with the petitioner and hence, he no longer wants to prosecute this case.



CrI.O.P.No.19881 of 2022

WEB COPY

5. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, the offences involved are not compoundable in nature. 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)**, 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. quashes the First Information Report in Crime No.964 of 2015, on the file of the 1st respondent Police.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.964 of 2015, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order. No cost. Consequently, the connected miscellaneous petitions are also closed.

04.09.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
nsa



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N. ANAND VENKATESH, J.

nsa

To

- 1.The Inspector of Police
F2, Egmore Police Station,
Chennai 600 008.
- 2.The Public Prosecutor,
High Court, Madras.

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