



CrI.O.P.No.22340 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.22340 of 2023

V.Kannan

.. Petitioner

Versus

1. State by the Inspector of Police,
V-1 Villivakkam Police Station,
Chennai.
(Crime No.137 of 2020)

Now transferred to:

State by the Inspector of Police,
W-10 All Women Police Station,
Ambattur,
Thiruvallur District.
(Crime No.137 of 2020)

S.Meenachi

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the F.I.R in Cr.No.137 of 2020 pending on the file of the 1st respondent on the ground of compromise.

For Petitioner : Mr.A.Arun Kumar

For Respondents : Mr.A.Gopinath,



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Crl.O.P.No.22340 of 2023

Government Advocate (Crl. Side)
for R1

ORDER

The Criminal Original Petition has been filed to quash the F.I.R in Crime No.137 of 2020, pending on the file of the first respondent.

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 supporting affidavit, dated 23.08.2023 of the second respondent / de-facto complainant and the joint compromise memo entered into between the petitioner and the second respondent / de-facto complainant have been filed before this Court. The victim girl is present before this Court. She stated that her date of birth is 15.10.2003 and that she got married to the petitioner. Through the marriage, there are two children named Krishika, aged about 3 years and Krithika, aged about 6 months. The victim girl came along with her mother who is the de-facto complainant. Both of them stated that they are not interested in prosecuting the case any further.



Crl.O.P.No.22340 of 2023

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4. 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 Vs. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ Crl 10**, this Court in exercise of its jurisdiction under Section 482 of Cr.P.C., quashes the First Information Report in Crime No.137 of 2020, on the file of the first respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.137 of 2020, on the file of the first respondent Police, is quashed and the terms of supporting affidavit of the second respondent / de-facto complainant shall form part and parcel of this order.

27.09.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no



Crl.O.P.No.22340 of 2023

To

1. The Inspector of Police,
W-10 All Women Police Station,
Ambattur,
Thiruvallur District.
2. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.22340 of 2023

N.ANAND VENKATESH, J.

grs

Crl.O.P.No.22340 of 2023

27.09.2023