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CrI O.P. No.21193 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2023

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P.No.21193 of 2023

Salman Faris

...Petitioner

Vs.

1.State by
The Inspector of Police,
All Women Police Station,
West R.S.Puram,
Coimbatore
(Crime No.15 of 2023)

2.Selvarathi

3.Zeenath Nisha

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pursuant to the proceedings in the impugned FIR in Crime No.15/2023 dated 13.04.2023 on the file of the 1st respondent and quash the same.

For Petitioner

: M/s.D.Kamatchi

For Respondent 1

: Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No. 15 of 2023, pending on the file of the 1st 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 affidavit of the victim has been filed before this Court which has been signed by the petitioner and her counsel. The petitioner was also present in person before this Court and he was identified by Mrs.P.Dheivamani, Inspector of Police, AWPS (West), Coimbatore City.

4. The learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the first respondent submitted that the third respondent/victim girl is now admitted at KMCH, Coimbatore for delivery of child and therefore, she is unable to present before this court today. This fact has also been stated in the affidavit filed



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by the third respondent. The third respondent is now happily living her married life with the petitioner and hence, the continuation of this Criminal proceedings would result in abuse of process of law.

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 Crl 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.15 of 2023, on the file of the 1st respondent Police.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.15 of 2023, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of



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this order.

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Index : Yes / No

Speaking Order/Non speaking order

Neutral Citation : Yes/No

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1. The Inspector of Police,
All Women Police Station,
West R.S.Puram,
Coimbatore

2. The Public Prosecutor,
High Court of Madras,
Madras.

N.ANAND VENKATESH, J.



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