



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.20581 of 2023

Mahendran

.. Petitioner

VS.

1.The State

Rep. by

The Inspector of Police,
All Women Police Station West,
Coimbatore City,
Coimbatore District.

2. Nithya

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to F.I.R. No.10 of 2022 on the file of the 1st respondent police and quash the same.

For Petitioners	: Mr.A.Illayaperumal
For Respondent	:Mr. A.Damodaran, Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No. 10 of 2022, pending on the file of the 1st respondent.



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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 victim girl was present before this Court and she stated that her date of birth is 28.09.2004. She further stated that she married the petitioner on 07.11.2022 and a child was also born on 13.08.2023 and was named as “Kayal”. The 2nd respondent also present before this Court and she stated that her daughter is now living happily with the petitioner and she further stated that she is not interested in prosecuting this case any further.

4. The Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the defacto complainant and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by Mrs. M.Mehraj Banu, SI, All Women Police station(West), R.S.Puram, Coimbatore. 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.10 of 2022. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

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 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.10 of 2022, on the file of the 1st respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.10 of 2022, on the file of the 1st respondent police, is quashed and the terms of affidavit shall form part and parcel of this order.



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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
rka/dpa

To

1. The State

Rep. by

The Inspector of Police,
All Women Police Station West,
Coimbatore City,
Coimbatore District.

2. The Public Prosecutor,
High Court, Madras

N. ANAND VENKATESH, J.

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