



CrI.O.P.No.29399 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 26.04.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.29399 of 2022

1.M.K.Lokesh

2.Kokilavani

... Petitioners

Vs.

1.The State

represented by Inspector of Police,
AWPS, Perur,
Coimbatore
(Crime No.23 of 2022)

2.S.Sumathi

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records pertaining to the F.I.R. in Crime No.23 of 2022 on the file of the 1st respondent and quash the same.

For Petitioners : M/s.D.Thirugnanam
For Respondents : Mr.S.Santhosh (For R1)
Government Advocate (Criminal Side)



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ORDER

This Criminal Original Petition has been filed to call for the records pertaining to the F.I.R. in Crime No.23 of 2022 on the file of the 1st respondent and quash the same.

2.On the basis of the complaint given by the defacto-complainant, First Information Report in Cr.No.23 of 2022 for the offences under Section 417 and 506 (i) I.P.C. was registered. The allegations are that accused demanded thirty sovereigns of gold as condition for marriage between first accused and defacto-complainant's daughter. Now, it is informed that parties have resolved their dispute amicably and entered into compromise. It is also informed that first petitioner and second respondent's daughter got married. In support of this, copy of the marriage certificate is also produced.

3.When the matter is taken up, the petitioner, second respondent/defacto-complainant and second respondent's daughter are present and they were



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identified by M/s.J.Khesima, WPC. A joint memo dated 06.01.2022 for compromise by the petitioner and second respondent/defacto-complainant is filed. Petitioner and Second respondent had also filed consent affidavit. It is seen from the joint compromise memo and consent memo filed that the parties have mutually resolved to settle their dispute and second respondent is not willing to prosecute the petitioner. She has no objection for quashing the criminal complaint against the petitioner in Cr.No.23 of 2022 on the file of the first respondent.

4. The learned Government Advocate (Crl.Side) submitted that the case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

5.Considering the fact that the issue between the parties had compromised and that the second respondent does not want to prosecute the case against the petitioner, and that she has no objection for quashment of proceedings, no useful purpose will be served in keeping the proceedings pending in Crime No.23 of 2022 against the petitioner. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between



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themselves.

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6.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., quashes the proceedings pending in Crime.No.310 of 2022 on the file of the respondent police against the petitioner.

7.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings pending in Crime.No.23 of 2022, on the file of the respondent police against the petitioner is quashed and the terms of joint compromise memo shall form part and parcel of this order.

26.04.2023

Internet : Yes / No

Index : Yes / No

Speaking/Non speaking order

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To

- 1.The Inspector of Police,
AWPS, Perur,
Coimbatore
2. The Public Prosecutor,
Madras High Court.



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G.CHANDRASEKHARAN,J.
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