



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2023

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.28776 of 2019

And

Crl.M.P.Nos. 15364 & 15787 of 2019

1. Chandran
2. Rangan
3. Selvi
4. Jaya ... Petitioners/Accused 2 to 5

Vs

1. Inspector of Police
Attur Police Station
Salem District.
(Crime No. 575/2013)
2. Santhi ...Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in P.R.C.No. 14 of 2016 on the file of the Judicial Magistrate No.I, Salem and quash the same.

For Petitioners : Mr.C.Vinothkumar

For 1st Respondent : Mr.A.Damodaran
Additional Public Prosecutor

**ORDER**

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This Petition has been filed to quash the final report for offences punishable under Sections 363 and 366 IPC.

2. The petitioners are arrayed as A2 to A-5 in the final report. It is submitted by the learned counsel for the petitioner and the learned Additional Public Prosecutor that pursuant to a compromise between the first accused and the de-facto complainant, this Court had quashed the impugned final report as against the first accused in CrI.O.P.No. 3633 of 2017 dated 23.02.2017. The relevant portion of the said order is extracted hereunder:-

“When this Criminal Original Petition was taken up, an affidavit on behalf of the second respondent/defacto complainant has been produced before this Court. The said affidavit has been signed by the second respondent, before a Notary Public, in which it is stated that even though the case in PRC No. 14 of 2016 in Crime No. 575 of 2013 has been initiated by the second respondent against the petitioner herein, in view of the marriage solemnised between the second respondent's daughter and the petitioner herein, and a



female child was born out of the wedlock, she is not willing to pursue the complaint any further.

2. Both the petitioner and the second respondent are present. Their identities have been verified and they accepted the contents in the affidavit filed by the second respondent, as true and genuine.”

3. On a reading of the above order it is clear that the said observation is applicable to the petitioners as well. Hence, the proceedings cannot continue as against the petitioners in view of the compromise.

4. In view of the above order and the submissions made on either side, this Criminal Original Petition is allowed and the final report in P.R.C.No. 14 of 2016 on the file of the Judicial Magistrate No.I, Salem is quashed. Consequently, connected Civil Miscellaneous Petitions are closed.

23.03.2023

vsg

Index: Yes/No

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No



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SUNDER MOHAN. J.

vsg

To

1. Judicial Magistrate No.I, Salem.
2. Inspector of Police
Attur Police Station, Salem District.

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