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CrI.O.P.No.6830 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.6830 of 2024

Suresh

... Petitioner

Vs.

1.State Rep. by
The Inspector of Police
Vanur Police Station,
Villupuram District.
[Crime No.223 of 2023]

2.Dhanalakshmi

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the entire records connected with the F.I.R. in Crime No.223 of 2023 on the file of the first respondent Police herein and quash the same.

For Petitioner : Mr.A.Anandharaj
For Respondents : Mr.A.Gopinath for R1
Government Advocate (Crl. Side)

O R D E R

The criminal original petition has been filed seeking to quash the F.I.R. in Crime No.223 of 2023, pending on the file of the first respondent.

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2.The defacto complainant was present before the Court. She stated that her daughter did not commit suicide due to the cruelty on the part of the petitioner. She further stated that there are two grand children who are taken care by the petitioner and the continuation of the criminal prosecution will have a very serious impact on the children. She requested this Court to close the criminal prosecution.

3.The children of the deceased namely, Gayathri (12 years) and Balamurugan (9 years) were present at the time of hearing. This Court enquired both of them as to whether their Mother was treated with cruelty by the petitioner. They informed this Court that their Mother used to go for work and come back late and as a result, there used to be delay in preparing the dinner. This was the reason on many occasions for the petitioner and the deceased to indulge in wordy quarrel. They stated that their Mother was not treated with cruelty and further, after the demise of their Mother, it is the petitioner who is taking care of them.

4.The Joint Compromise Memo dated nil has been filed before this Court which have been signed by the petitioner and the second



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respondent and also by the learned counsel for the petitioner. The affidavit of the second respondent dated 14.03.2024 has also been filed before this Court. The petitioner and the second respondent were also present in person before this Court. In order to identify the respective parties they have also produced the copies of the Aadhaar Card and they are made part of the record. 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.223 of 2023.

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 Vs. 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.223 of 2023, on the file of the first respondent Police.



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6.This criminal original petition stands allowed and as a sequel, the proceedings in Crime No.223 of 2023, on the file of the first respondent police, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order.

20.03.2024

pri

Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1.The Inspector of Police
Vanur Police Station,
Villupuram District.
[Crime No.223 of 2023]
- 2.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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