



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.19323 of 2023 and Crl.OP.No.3324 of 2024

1.Ramasamy

2.Muthulakshmi

...Petitioners / Accused 2 & 3
in Crl.OP.No.19323/2023

Murugesan

..Petitioner/Accused-1

in Crl.OP.No.3324/2024

.Vs.

1.State rep.by

The Inspector of Police
All Women Police Station
Perambalur.

..1st Respondent/Complainant

(Crime No.32/2023)

2.Chitra

.. 2nd Respondent/De facto Complainant
(Both Crl.OPs)

COMMON PRAYER : Criminal Original Petitions filed under Section 482 of Criminal Procedure Code, to call for the records in Cr.No.32/2023, on the file of the 1st respondent pending against the petitioners and quash the same.

For Petitioners : Mr.S.Krishnamoorthy
(Both Crl.OPs)

For Respondents : Mr.A.Gopinath
(Both Crl.OPs) Government Advocate (Crl.Side) for R1

COMMON ORDER

These Criminal Original Petitions have been filed seeking to quash the FIR in Crime No.32 of 2023, pending on the file of the 1st respondent.

2. The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. Even in the earlier order that was passed by this Court on 28.8.2023, it was brought to the notice of this Court that **A2 died on 22.8.2023** and hence, the charge stands abated insofar as A2 is concerned.

4. Joint Compromise Memo dated 19.02.2024 signed by both petitioner and the second respondent/de facto complainant and their respective counsel has been filed before this Court. Affidavit of the 2nd respondent has also been filed before this Court. In order to identify the respective parties they have also produced the copy of the Aadhaar Card is made part of the record. The petitioner and the second respondent were also present in person before this Court. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. 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.32 of 2023.



keeping the case 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, quash the FIR in Crime No.32 of 2023, pending on the file of the 1st respondent

6.These Criminal Original Petitions stands allowed as a sequel, the investigation in Crime No.32 of 2024, on the file of the 1st respondent is hereby quashed and the terms of Joint Compromise Memo and affidavit of the 2nd respondent shall form part and parcel of this order.

01.03.2024

Speaking Order/Non-Speaking Order
Index: Yes/No
Internet: Yes/No
kp

N.ANAND VENKATESH.J.,



WEB COPY

To

- 1.The Inspector of Police
All Women Police Station
Perambalur.
- 2.The Public Prosecutor,
High Court of Madras,
Madras.

CRL.OP.No.19323 of 2023 & Crl.OP.No.3324 of 2024

01.03.2024