



Crl.O.P.(MD)No.14844 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.14844 of 2024

1.Santhoshkumar

2.Praveena @ Pravina

3.Subramani

4.Deivanai

5.Priya

... Petitioners

Vs.

1.The Inspector of Police,
All Women Police Station,
Cantonment,
Trichy City.
(Crime No.16 of 2024)

2.Akila @ Ahila

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records in Crime No.16 of 2024 on the file of the first respondent police and quash the same as against the petitioners.

For Petitioners : Mr.R.Pon Karthikeyan



Crl.O.P.(MD)No.14844 of 2024

For R1 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

For R2 : Mr.P.Suresh

ORDER

This Criminal Original Petition has been filed, invoking Section 528 BNSS seeking orders to call for the records pertaining to the First Information Report in Crime No.16 of 2024 on the file of the first respondent police and quash the same as illegal against the petitioners.

2.The case of the prosecution is that the first petitioner and the second respondent are husband and wife, that after marriage, the first petitioner had developed illegal affair with the second petitioner and the same was supported by the in-laws and that the accused persons harassed the second respondent by demanding additional dowry from the second respondent and hence, the second respondent has preferred the complaint.

3.When the matter is taken up for hearing today, the learned counsel appearing for the petitioners would submit that the second



Crl.O.P.(MD)No.14844 of 2024

respondent has lodged a complaint before the first respondent and on that basis, FIR came to be registered in Crime No.16 of 2024 dated 15.08.2024 for the offences under Sections 498(A), 294(b) and 506(1) IPC the petitioners.

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

5.A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mrs.M.Latha, Women Special Sub Inspector, All Women Police Station, Cantonment, Trichy City as well as by the learned counsels appearing for the parties. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



Crl.O.P.(MD)No.14844 of 2024

WEB COPY

6. In the instant case, it is a family dispute and now the parties had compromised. Where the parties have compromised the matter, the High Court has power to quash the complaint for the offences under Sections 498(A), 294(b) and 506(1)

7. The legal position expressed by the Hon'ble Apex Court in the case of ***Gian Singh vs. State of Panjab and another*** reported in ***(2012)10 SCC 303*** and ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat*** reported in ***(2017)9 SCC 641*** were taken into consideration.

8. In the light of the guidelines issued in the above said Judgments of the Hon'ble Apex Court, no useful purpose will be served in keeping the proceedings in Crime No.16 of 2024 pending before the first respondent police, even though, the offences involved are not compoundable in nature.

9. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.16 of 2024 on the file of the



Crl.O.P.(MD)No.14844 of 2024

first respondent police, is quashed and the terms of joint compromise
memo shall form part and parcel of this order.

24.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gns

To

- 1.The Inspector of Police,
All Women Police Station,
Cantonment,
Trichy City.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrI.O.P.(MD)No.14844 of 2024

K.MURALI SHANKAR,J.

gns

CrI.O.P.(MD)No.14844 of 2024

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