

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.15004 of 2022

1. V.Manimuthu,

2. Priyanka,

3. Meena,

: Petitioners

Vs

1. State represented by

The Inspector of Police,

All Women Police Station,

Manaparai.

Crime No.12 of 2018

2. Umarani,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to the proceedings of the FIR in Crime No.12 of 2018, of the file of the Inspector of Police, All Women Police Station, Manaparai, Trichy District and quash the same as against the petitioners.

For Petitioners : M/s.Senthil Kumar R,

For R1 : Mr.A.Albert James,

Government Advocate

(Crl.Side)

For R2 : Mr.M.Mithun

O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No.12 of 2018, of the file of the Inspector of Police, All Women Police Station, Manaparai, Trichy District.

2.The case of the prosecution is that due to matrimonial dispute, the first petitioner quarrelled with the second respondent, further he also said that he is not willing to live with her and also assaulted her. The third petitioner demanded additional dowry. Hence the complaint.

3.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.

4.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.G.Lakshmi, W Gr~I Police, Vaiyampatti Police Station 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.

5.In the instant case, the dispute is of personal in nature and the parties had compromised. Where the parties have compromised the matter, the High Court has to power to quash the complaint for the offence under Sections 498(A), 506(i) IPC and Section 4 of Dowry Prohibition Act, 1961.

6.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 Gujrath) reported in (2017)9 SCC 641 were taken into consideration.

7.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.12 of 2018, of the file of the Inspector of Police, All Women Police Station, Manaparai, Trichy District, even though, the offences involved are not compoundable in nature.

8.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.12 of 2018, of the file of the Inspector of Police, All Women Police Station, Manaparai, Trichy District, is quashed insofar as the petitioners alone and the terms of joint compromise memo shall form part and parcel of this order.

23.08.2022

Internet:Yes./No

Index:Yes/no

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To

1. The Inspector of Police,
All Women Police Station, Manaparai.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

V.SIVAGNANAM, J.

lr

ORDER IN
CRL.O.P (MD) No.15004 of 2022

23.08.2022