

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2015

CORAM:

THE HON'BLE MR.JUSTICE R.S.RAMANATHAN

Crl.O.P.No.5966 of 2015

1.Prabhu

2.P.S.Sridharan

... Petitioners/Accused 1 & 2

Vs.

1.State rep. by

Inspector of Police,
W.32, All Women Police Station,
Madipakkam
Chennai
Crime No.19 of 2014

2.D.Jayalakshmi

... 1st Respondents/Complainant

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records relating to Crime No.19/2014 on the file of respondent and quash the same.

For Petitioner : Mr.C.S.Saravanan

For Respondents: Mr.M.Maharaja for R1
Additional Public Prosecutor
Mr.M.Shreedhar for R2
for M.Shreedhar and Associates

ORDER

On the complaint given by the second respondent, a case in Crime No.19 of 2014 was registered against the petitioners for offences under Sections 376, 325, 506(ii) of I.P.C. and Section 4 of the Tamil Nadu Protection of Women Harassment Act.

2.The petitioners have filed this criminal original petition to quash the F.I.R. Earlier the petitioners filed anticipatory bail in Crl.O.P.No.247 of 2015 and in that proceedings, the parties were referred to mediation and in the mediation, the parties arrived at settlement. The second respondent also filed affidavit to that effect stating that she has agreed for a compromise taking into consideration her life and her future and also on the ground that the

petitioners agreed to return all the pictures and videos and pay money for the expenses incurred by her for medical and legal battle. She also expressed her intention not to proceed with the case, in view of the settlement arrived at mediation.

3.The second respondent is present in Court and she was enquired and she also admitted settlement arrived at in mediation and stated that she does not want to prosecute the case further.

4.Though a case was registered under Sections 376, 325, 506(ii) of I.P.C., having regard to the allegation made in the F.I.R., no offence under Section 376 of I.P.C. is made out and therefore considering the fact that the second respondent is also a major and she moved with the first petitioner on her own violation and stopped moving with her after she realizing that the first petitioner was already married, in my opinion no offence under Section 376 of I.P.C. is made out.

5.Therefore, considering the affidavit filed by the second respondent and the fact that the parties have compromised the issue and arrived at settlement in the mediation, this criminal original petition is allowed and the F.I.R. is quashed.

pri

-s/d-

Assistant Registrar(CO)

Dt:13/3/2015

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
W.32, All Women Police Station,
Madipakkam
Chennai.

2. The Public Prosecutor
High Court, Madras.

+ 1 cc to Mr.C.S.Saravanan, Advocate SR 13673

ad(co)
prk13/3

Cr1.O.P.No.5966 of 2015