

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2016

CORAM:

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. No.15037 of 2016

1 K. Sreedhar
2 Balasekar Petitioners

Vs

1 The State represented by
the Inspector of Police
V-3, J.J. Nagar Police Station
Anna Nagar District
Chennai
(Crime No.973/2011)
2 S. Manimegalai Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. to quash the proceedings in Crime No.973 of 2011 on the file of the first respondent.

For petitioners Mr. L. Baskaran

For R1 Mr. C. Emalias, Addl. Public Prosecutor

ORDER

This Criminal Original Petition is filed seeking to quash the proceedings in Crime No.973 of 2011 on the file of the first respondent and quash the same.

2 On the complaint lodged by Manimegalai, the second respondent herein, the first respondent police registered a case in Crime No.973 of 2011 on 28.10.2011 for offences under Section 376, 417 and 506 (II) IPC against Sreedhar (A1), Chitra (A2) and Balasekar (A3).

3 It is the allegation of Manimegalai that in a birthday party, Sreedhar had offered her a cool drink mixed with some sedative and thereafter, he had had sexual relationship with her, on account of which, she became pregnant.

4 Now it appears that the parties have come to an
<https://hcservices.ecourts.gov.in/hcservices/>

amicable settlement and Sreedhar has married Manimegalai.

5 Today, both Sreedhar and Manimegalai are present before this Court with their child S. Yuvasree and they are identified by Mr. M. Murugesan, Sub Inspector of Police, V-3, J.J. Nagar Police Station, Chennai, who is also present before this Court. Sreedhar and Manimegalai submitted that they are happily married and that they have no objection in the FIR being quashed. Manimegalai has also filed an affidavit, wherein, it is stated as follows:

"3 I state that a case has been registered against the petitioners by the first respondent in Crime No.973 of 2011 for an offence under Section 376, 417, 506(ii) of IPC on 28.10.2011 initially complaint registered by the Inspector of Police, V-3, J.J. Nagar Police Station, Anna Nagar District, Chennai.

4 I further state that now I am happily living with my husband who is first petitioner in this case and I am the second respondent/de-facto complainant and with a view to arrive at a compromise by amicably settling the disputes between us.

5 I state that the offence under Sections 376, 417 and 506(II) of IPC and one of offence is non-compoundable offence as it falls out of the purview of Section 320 IPC and hence, I am approaching this Hon'ble Court under Section 482 Cr.P.C. to compound the offences.

In these circumstances, it is therefore humbly prayed that this Hon'ble Court may be pleased to permit us to compound the offences in Crime No.973 of 2011 on the file of the first respondent and quash the same and thus render justice."

In view of the above, the prosecution in Crime No.973 of 2011 is hereby quashed against all the accused named in the FIR and this Criminal Original Petition is allowed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

cad

To

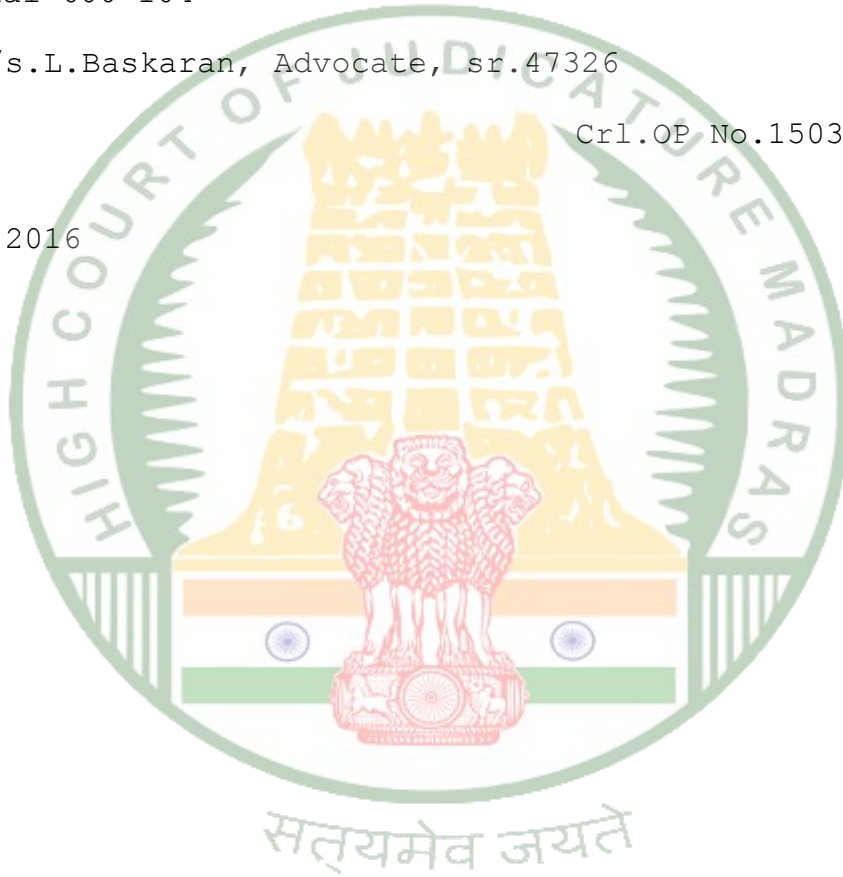
1 The Inspector of Police
V-3, J.J. Nagar Police Station
Anna Nagar District
Chennai

2 The Public Prosecutor
Madras High Court
Chennai 600 104

1 cc to M/s.L.Baskaran, Advocate, sr.47326

Cr1.OP No.15037 of 2016

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