

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.09.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.20374 of 2016
and CRL.M.P.Nos.9514 & 9515 of 2016

Ragupathy ... Petitioner

Vs

1. State Rep. by
Inspector of Police,
W-17, All Women Police Station,
Peravellore, Chennai.

2. Saranya Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records and quash the FIR in Cr.No.2 of 2016 on the file of the Inspector of Police, W-17, All Women Police Station, Peravellore, Chennai.

For Petitioner : Mr.P.Palaniyandi

For Respondents : Mr.C.Emalias, APP [for R1]
Mr.M.Krishnamurthy [for R2]

O R D E R

This petition has been filed to quash the FIR in Crime No.2 of 2016 on the file of the 1st respondent.

2. Heard the learned counsel for the petitioner; learned counsel appearing for the 2nd respondent and perused the materials placed on record.

3. On the complaint lodged by Saranya, the respondent Police registered a case in Crime No.2 of 2016 on 27.08.2016 under Section 354, 294[b] and 506[ii] IPC r/w Section 67 of the Information Technology Act, 2000 and Section 4 of TNPHW Act, 2000 against Ragupathy, for quashing which, this petition

has been filed on the ground that the parties have arrived at a compromise.

4. A copy of the Compromise Agreement dated 31.08.2016 has been filed in the typed set of papers. The petitioner in paragraph No.5 of his affidavit has stated as follows:

"5. I submit that meanwhile some of my relatives and friends had approached the de facto complainant and her family on my behalf and sought to compromise the matter by tendering unconditional apologies on my behalf. The families of both sides met, discussed the matter along with the de facto complainant, and finally decided that it was better for our future if the matter is brought to an end and also to withdraw the complaint. A compromise deed was also prepared wherein it was stated that I shall not henceforth trouble the de facto complainant or anyone known to her and the de facto complainant on the other hand would do the needful to withdraw the criminal complaint against me. Based on this cooperation from the de facto complainant, the learned Additional Sessions Judge [Mahila Court], Chennai had granted the bail."

5. Today, Saranya is present before this Court and she has also filed an affidavit, wherein, in paragraph Nos.4 and 5, it is stated as follows:

"4. I submit that Ragupathy's family members seem to be earnest in their approach and promised and I am presently quite confident that Ragupathy would not indulge in any such illegal activities and cause any harassment and mental agony to me or my parents hereafter. Based on this assurance, I have entered into a compromise agreement dated 31.08.2016 and I have enabled him to get bail early by informing the prosecution and I have filed necessary petition before the Hon'ble Addl. Mahila Court, Egmore, Chennai that I am not inclined to pursue the complaint any further."

5. I submit that in view of the reasons stated above. I presently do not have any inclination to pursue my complaint any further. In fact I have requested the prosecution and this Hon'ble Court to permit and enable me to withdraw my complaint dated 27.08.2016 filed against Ragupathy which is pending in Cr.No.2 of 2016 on the file of the 1st respondent police."

6. In view of the above, this petition is allowed and the FIR in Crime No.2 of 2016 on the file of the 1st respondent is hereby quashed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
W-17, All Women Police Station,
Peravellore, Chennai.

2.The Public Prosecutor,
High Court, Madras.

2 ccs to Mr.P.Palaniyandi, Advocate, sr.50590

1 cc to Mr.M.Krishnamurthy, Advocate, sr.51473

CRL.OP.No.20374 of 2016

and

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kra 27.09.2016

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