

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2016

CORAM:

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

Crl. O.P.No.24520 of 2016
and Crl. M.P.No.11756 of 2016

1.Karunakaran
2.Mohana
3.Abirami

.....Petitioners/A2-A4

vs.

1.State by the Inspector of Police,
W-26, All Women Police Station,
Ashok Nagar, Chennai - 600 083.
(Crime No.5/2016).Respondent/Complainant

2.Shanthi Shyla Natarjan Respondent/Defacto/Complainant

Criminal Original Petition filed under Section 482,
Cr.P.C. to call for the records from the file of the 1st
Respondent in Crime No.5 of 2016 registered against the
Petitioners/ A2-A4 herein and quash the First Information Report.

For Petitioners : Ms.S.Murugeswari

For R1 : Mr.C.Emalias,
Additional Public Prosecutor

For R2 : Mr.D.Saravanakumar

सत्यमेव जयते
ORDER

This Criminal Original Petition has been filed to call
for the records from the file of the 1st Respondent in Crime No.5
of 2016 registered against the Petitioners/A2-A4 herein and
quash the First Information Report.

2. Heard the learned counsel for the petitioners,
the learned Additional Public Prosecutor appearing for the State
and the learned counsel appearing for the de facto complainant.

3. On the complaint lodged by Shanthi Shyla
Natarajan, the respondent police have registered a case in
Crime No.5 of 2016 on 21.07.2016, under Sections 294 (b), 417,
420, 506 (ii) and 493 IPC, against Venugopal and 3 others,

challenging which accused 2 to 4 are before this Court, on the ground that the parties have arrived at a compromise.

4. Today, Shanthi Shyla Natarajan is present and is represented by her counsel Mr.D.Saravanakumar and she has filed an affidavit, wherein it is stated as follows:

"2. I state that I have love affair with the Venugopal and due to difference of opinion between me and the 1st petitioner and out of stress, I lodged a complaint before the W-26, Ashok Nagar All Women Police Station on 21.07.2016, F.I.R. was registered in Cr.No.5 of 2016 for the offence U/Sec.294 (b), 417, 420, 506(ii) and 493 IPC against the 1st petitioner and his Family members.

3. I state that in the meanwhile on the intervention of the elders the disputes between petitioners and me is settled and compromised, and I have no grudge against the petitioners. Further, we have undertaken not to indulge in any litigation against each other and to withdraw the complaint pending between us before the 1st respondent. I state that I do not intend to proceed with my complaint or any criminal case against the petitioners. Therefore, I have no objection to the quashing of F.I.R. in Crime No.5/2016 on the file of the 1st respondent.

4. I state that the entire dispute having been settled and compromised between in the interest of justice, it is necessary that the F.I.R. be quashed.

5. Today, the parties have also filed a memo of compromise, in which para no.2 reads as under:

"The above quash petition came up before this Hon'ble Court for hearing on 25.11.2016 and this Hon'ble Court was pleased to issue direction to the Petitioners to take Demand Draft for Rs.3,50,000/- in favour of the Defacto complainant as agreed by both the parties in the Memorandum of Understanding dated 22.08.2016. As per the direction of this Hon'ble Court the petitioners have taken a Demand Draft for Rs.3,50,000/- in favour the Defacto complainant. The details are below:-

Sl. No	Date	Name of the bank	D.D.No.	Amount (Rs.)
1	22.11.2016	State Bank of India, Chinmaya Nagar Branch	969550	1,00,000/-
2	25.11.2016	State Bank of India, Chinmaya Nagar Branch	969571	1,00,000/-
3	28.11.2016	Karur Vysya Bank, T.Nagar Branch	151957	1,50,000/-

3. The Petitioners respectfully submit that they will not interfere in any manner which will affect the Defacto complainant regarding this issue. They will also undertake to abide by any condition that may be imposed by this Hon'ble Court."

Recording the same, the petition is allowed and the proceedings in Crime No.5 of 2016 as against all the accused, including Venugopal, is hereby quashed. Consequently, connected miscellaneous petition is closed.

Sd/-
ASST. REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

To

1. The Inspector of Police,
W-26, All Women Police Station,
Ashok Nagar, Chennai - 600 083.
Crime No.5 of 2016)

2. The Public Prosecutor,
High Court of Madras,
Chennai - 600 104.

+1 ccto Mr.S,Murugeshwari, SR.NO. 70033/16
+1 cc to Mr.D.Saravanakumar, SR.NO. 69703/16

Cr.O.P.No.24520 of 2016

MMP 02.01.2017
(CO)VGI