

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.1358 of 2016

and Crl.M.P.No.622 of 2016

1.S.Muraleedaran
2.Malathy

.. Petitioners

Vs

1.State rep by the
Inspector of Police
Central Crime Branch
(Cyber Crime)
Vepery, Chennai 600 007.

2.V.Gopalakrishnan

...Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in Cr.No.441 of 2014 on the file of the respondent police and quash the same.

For Petitioners : Mr.Suresh
For R1 : Ms.Kritika Kamal P.
Government Advocate (Crl.Side)
For R2 : Mr.Rishi Ahuja

O R D E R

This petition has been filed to call for the records in Cr.No.441 of 2014 on the file of the respondent police and quash the same.

2. On the complaint lodged by Gopalakrishnan, the respondent police have registered a case in Cr.No.441 of 2014 on 30.10.2014 under Section 66-A of the Information Technology Act and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, against 4 accused, for quashing which, this petition has been filed on the ground that the parties have arrived at a compromise.

3. The crux of the allegations in the FIR is that, the daughter of the de facto complainant was married to one Jayaraman and that Jayaraman's brother and sister had posted some messages in the facebook account injuring the reputation

of the defacto complainant's elder daughter. During the pendency of the investigation, it appears that, the de facto complainant's daughter and her husband have arrived at mutual compromise, under which, they have filed divorce application by mutual consent.

4. The parties have also filed a Memorandum of Understanding dated 10.03.2018.

5. Today, the de facto complainant is present. He has filed a separate affidavit, wherein, he has stated as follows:

"4. Meanwhile, my daughter Ajhithaa separated from her husband Mr.Jayaraman and living with me had filed a petition for divorce in O.P.No.586/2016 before the IV Additional Family Court, Chennai due to the misunderstanding between them. Thereafter, my daughter and her husband realized that there is no chance for reunion and also based on the advice given by the well wishers of the family members, they have filed petition for divorce by Mutual Consent in O.P.No.847/2018 before the Principal Family Judge at Chennai.

5. I further submit that I, the petitioners, my daughter and her husband entered into a Memorandum of Understanding dated 10.04.2018. The said Memorandum of Understanding dated 10.04.2018 may be treated as part and parcel of this affidavit.

6. Unwilling to litigate over the future of my daughter I express my consent to quash the case pending against the Petitioners herein, Manobhiraman and Mathangi."

In view of the above, this petition is allowed and the prosecution in Cr.No.441 of 2014 is hereby quashed as against all the accused.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

gms

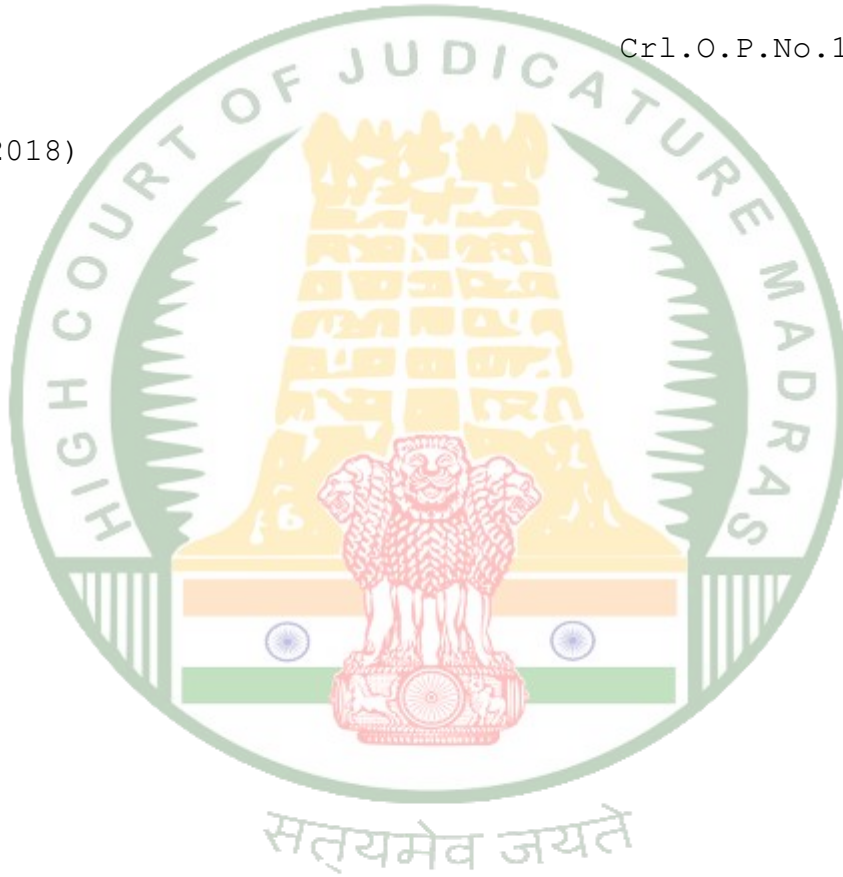
To

1.The Inspector of Police
Central Crime Branch
(Cyber Crime)
Vepery, Chennai 600 007.

2.The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.1358 of 2016

KK(CO)
TR(25/04/2018)



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