

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2018

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CrI.O.P.No.23879 of 2018

Dinesh

...Petitioner

Vs.

1. The State,

Rep by The Inspector of Police,
J6, Thiruvanniyur Police Station,
Thiruvanniyur,
Chennai - 600 041.

2.Gomathi

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records and quash the FIR No.1206 of 2018 on the file J-6 Thiruvanniyur Police Station, Chennai.

For Petitioner : Mr.R.Harinath

For Respondent 1 : Mr.C.Raghavan
Government Advocate (CrI.Side)

O R D E R

This petition has been filed to call for the records and quash the FIR No.1206 of 2018 on the file J-6 Thiruvanniyur Police Station, Chennai.

2. On the complaint lodged by Gomathi, the respondent police have registered a case in Crime No.1206 of 2018 on 28.08.2018 for the offences under Sections 294(b), 323 & 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002 against Dinesh, for quashing which, this petition has been filed on the ground that the parties have arrived at a compromise.

3. Today, Dinesh and Gomathi (Defacto complainant) are present. The parties have filed a joint memo of compromise dated 31.10.2018, apart from which, Gomathi has filed an affidavit dated 27.09.2018, wherein, she has stated as follows:

"5. I state that the respondent police had arrested the accused in connection with the complaint given by me. I and the accused person Dinesh came to a compromise settlement and he apologised to me and my family for the incident happened and he assured that he will not come into any trouble with me or my family, So I am prepared to withdraw the complaint in view of the accused person Dinesh's personal life. I came to know he is not a heinous offender and he had felt guilty for the cause and had pleaded to forgive for the action.

6. I state that I had no issues to withdraw the complaint before the 1st respondent and I have no objection or issues in granting him bail as he is not an threat to me nor my family anymore. I am deposing this affidavit without any coercion or pressure from anybody else."

In view of the above, this petition is allowed and the entire prosecution in Cr.No.1206 of 2018 on the file of the first respondent police is quashed on condition that the petitioner shall pay a sum of Rs.1,000/- as costs to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), within a period of two weeks from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ggi

To

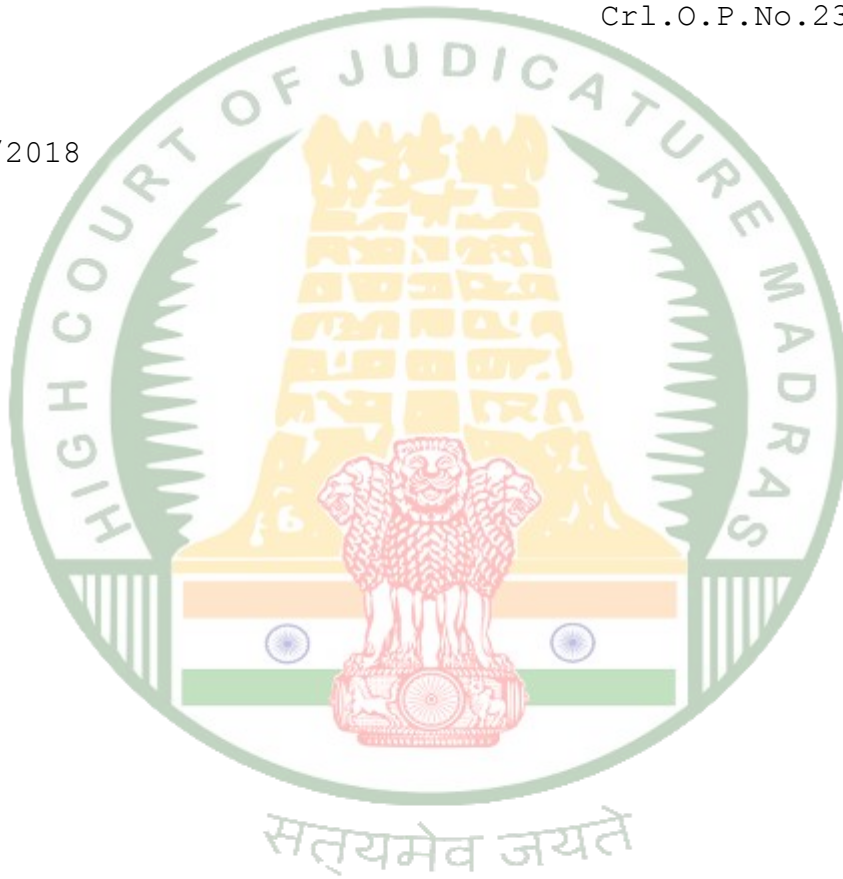
1. The Section Officer, Accounts Section,
High Court, Madras.

2.The Public Prosecutor
High Court, Madras.

+1cc to M/S.R.Harinath, Advocate Sr.75008

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srg 19/11/2018



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