

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.08.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.19814 of 2019
and CRL.M.P.No.10156 of 2019

M.Abhijith

...Petitioner

Vs.

1. The Inspector of Police - Law & Order
J-8, Neelankarai Police Station,
Chennai - 600 041.

2. Nisha Nandhini

....Respondents

PRAYER: Criminal Original Petition filed under Section 439(2) of Criminal Procedure Code, to call for the records pertaining to the FIR registered in Crime No.54 of 2019 on the file of 1st respondent complaint, quash the same.

For Petitioner : Mr.M.Fazulul Haq

For Respondents: Mr.C.Raghavan
Government Advocate for R1

No Appearance for R2

ORDER

This petition has been filed seeking to quash the FIR in Crime No.54 of 2019, pending investigation before the 1st respondent police.

2. The case of the prosecution is that, the petitioner and the 2nd respondent were friends and the petitioner was forcing the 2nd respondent to love him. When she refused to concede to the request, the petitioner is said to have threatened the 2nd respondent and her mother and on 23.01.2019 he is said to have gone to the house of the 2nd respondent and threatened her and abused in filthy language.

3. When this case came up for hearing, this Court insisted the petitioner to file an undertaking affidavit before this Court.

4. Today an undertaking affidavit has been filed before this Court. The relevant portions in the affidavit is extracted hereunder:

6. I undertake that I will not contact or go anywhere near the house of the 2nd respondent in future or cause any disturbance or give any trouble to her in future. I have to concentrate on my further education without any stigma in my carrer. I have no bad antecedents and I am ready to abide by any condition imposed by this Hon'ble Court for quashing the FIR registered in Crime No.54 of 2019 on the file of the 1st respondent considering the above facts.

5. The 2nd respondent has been served with notice and there is no appearance either in person or through counsel.

6. Heard, the learned Government Advocate appearing on behalf of the respondent police.

7. Taking into consideration, the age of the petitioner and the specific undertaking given by the petitioner before this Court that he will never go near the 2nd respondent or disturb her in future, this Court is of the considered view that the criminal proceedings need not be kept pending against the petitioner. This Court also called upon the petitioner and advised him to carry on with his future and not to go anywhere near the 2nd respondent.

8. In the result, the FIR in Crime No.54 of 2019 is hereby quashed. Accordingly, this Criminal Original Petition is allowed. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Inspector of Police - Law & Order
J-8, Neelankarai Police Station,
Chennai - 600 041.
2. The Public Prosecutor,
High Court, Madras.

+2cc to M/s.Juris And Justia, Advocate Sr.68715

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srg 25/09/2019