

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Cr1.OP.No.4326 of 2021

Villupuram Mohan Vasanthan

...Petitioner/A1

.Vs.

1. The State of Tamil Nadu,
rep.by its
Inspector of Police,
W2 All Women Police Station,
Triplicane,
Chennai 600 005. : Respondent/Complainant

2. Jaishree Ranganathan : Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the FIR in Crime No.W2-03/2019, on the file of the first respondent police.

For Petitioner : Mr.R.Selvakumar
For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R 1
Mr.A.Selvanambi
for R 2

ORDER

This Criminal Original Petition has been filed seeking to quash the FIR in Crime.No.03 of 2019, pending on the file of the 1st respondent.

2.Ms.Danalakshmi, Head constable, was present at the time of hearing.

3.The FIR was registered based on the complaint given by the 2nd respondent wife for an offence under Section 498A and 406 of IPC. During the pendency of the investigation, the parties entered into a compromise and the petitioner and the 2nd respondent decided to dissolve the marriage by mutual consent.

4. Accordingly, they entered into a Memorandum of Understanding whereby the 2nd respondent had agreed to withdraw the complaint filed by her in Crime No.3 of 2019.

5. Pursuant to the Memorandum of Understanding, the parties have also acted upon the terms and conditions contained therein. Mr. Ranganathan, who is the father of the 2nd respondent was also present before this Court and he stated that the matter has been compromised and the criminal case can be closed.

6. The grievance of the petitioner is that even though the complaint was withdrawn by the 2nd respondent, the lookout circular issued against the petitioner during the pendency of the investigation is yet to be withdrawn and as a result of the same, the petitioner is not in a position to travel and come to India.

7. Heard Mr. R. Selvakumar, learned counsel for the petitioner, Mr. M. Mohamed Riyaz Additional Public Prosecutor for R 1 and Mr. A. Selvanambi, learned counsel appearing on behalf of the 2nd respondent.

8. Taking into consideration the facts and circumstances of the case and also of the fact that the parties have compromised and entered into a Memorandum of Understanding whereby the 2nd respondent has agreed to withdraw the complaint, no useful purpose will be served in keeping the FIR pending in Crime No.03 of 2019, pending on the file of the 1st respondent, is hereby quashed and this criminal original petition is allowed. In view of quashing of the FIR, the 1st respondent is directed to immediately inform the immigration department and withdraw the lookout circular issued against the petitioner. This process shall be completed within a period of one week from the date of receipt of a copy of this order.

9. This criminal original petition is accordingly allowed.

Sd/-

Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

KP

To

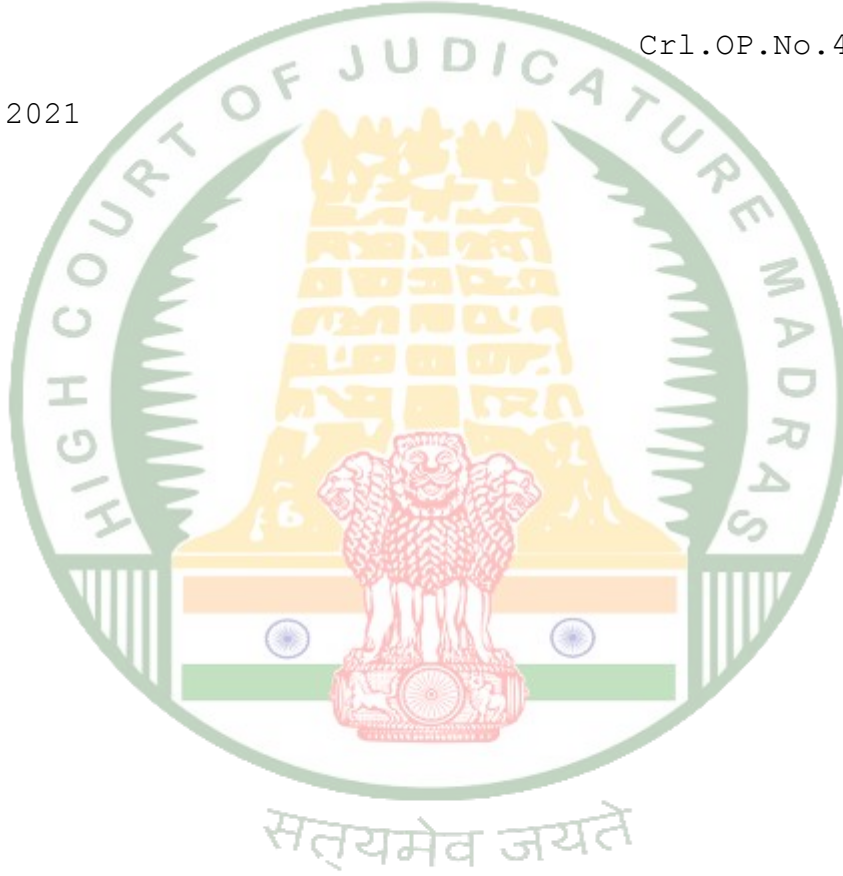
1. The Inspector of Police,
W2 All Women Police Station,
Triplicane,
Chennai 600 005.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Sivakumar, Advocate, SR.No.17092.

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PL(CO)
CSR 31.03.2021



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