



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.6161 of 2021

1.Raj Kumar Gil
2.Sundar

... Petitioners

Versus

1. The State,
Represented by Sub Inspector of Police
Kalapet Police Station,
Pondicherry.

2. Geethanjali

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records pertaining to F.I.R.No.180 of 2020 pending on the file of the 1st respondent as against the petitioners.

For Petitioners : Mr.M. Arunachalam

For Respondents : Mr.R.Vinothraja (R1)
Government Advocate (crl.side)
Mr.K.Akkavirayan (R2)

O R D E R

The Criminal Original Petition has been filed to call for the records pertaining to F.I.R.No.180 of 2020 pending on the file of the 1st respondent as against the petitioners.

2.The case of the prosecution is that the de-facto complainant is an employee with the first accused and that she had videographed her private moments with her lover Raj @ Sam and that while she was using the first accused mobile handset, the said video got downloaded in his mobile handset and when the said mobile handset was returned by the de-facto complainant to the first accused, he had threatened her to leak the said video and on that score had sexual intercourse with her on three occasions and further the first accused had compelled her to get married with him.. Therefore, a complaint has been lodged by the petitioner and case was registered in



3.The case is still at the stage of investigation. By passage of

time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4.An Affidavit deed dated 26.03.2021 has been filed by the de-facto complainant. The petitioners and the second respondent are present before this Court. In the Affidavit, it is stated that the the entire events narrated in the F.I.R. is false and the said complaint was not given on free volition and she got married with the first petitioner and therefore she is not inclined to proceed with the investigation further. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.The marriage certificate is also filed before this Court.

5.Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in 2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath), and after exercising due caution as advised by the Hon'ble Suprme Court in The State of Madhya Pradesh v. Dhruv Gurjar and Another reported in (2019) 2 MLJ Cr1 10), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the First Information Report in Crime No.180 of 2020, on the file of the 1st respondent Police.

6.This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No 180 of 2020, on the file of the 1st respondent police, is quashed against the petitioners. Consequently, the connected Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

arr

To

1. The Sub Inspector of Police
Kalapet Police Station,
Pondicherry.



2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Akkavirayan, Advocate SR.No.59545

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PA (CO)
GMY (07/12/2021)