



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.18595 of 2021

Nivetha Mohan

... Petitioner

Versus

State Rep by

1. Sub Inspector of Police,
All Women Police Station, Mylapore,
Chennai.

2. Sasirekha Varadarajan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to quash the FIR registered in Crime No.9 of 2021 on the file of the first respondent Police.

For Petitioners :Mr.V.Ramamurthy

For Respondent-1:Mr.R.Vinothraja
Government Advocate(Crl.Side)

For Respondent-2:Mr.S.Ruben

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.9 of 2021, dated 15.07.2021 on the file of the 1st respondent Police.

2. The case of the prosecution is that the petitioner/A1 developed an illegal affair with the husband of the 2nd respondent/defacto complainant with an intention to extort money. The petitioner herein entered into the house of the defacto complainant and demanded ransom money and also threatening the defacto complainant and her family members. Hence, she lodged a complaint before the first respondent police. On receipt of the same, a case in Crime No.9 of 2021 was registered on the same day



for the offences under Sections 294(b), 448, 348, 427 and 506(i) of IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act 2002.

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. The petitioner and the 2nd respondent have filed affidavit to that effect. The petitioner and the 2nd respondent are present through Video conferencing and the first respondent police identified the persons. In the affidavit of the 2nd respondent, it is stated that the dispute between her and the petitioner in the quash petition is amicably settled between them and both of them do not want to pursue with their respective complaints. Therefore, she has no objection for quashing the First Information registered based on her complaint. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

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 Gujrat), and after exercising due caution as advised by the Hon'ble Supreme 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.9 of 2021, on the file of the 1st respondent Police.

6. This Criminal Original Petition stands allowed and as a sequel, the investigation in Crime No.9 of 2021, on the file of the 1st respondent police, is quashed.

Sd/-

Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

mrp



To

1.The Sub Inspector of Police,
All Women Police Station, Mylapore,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.18595 of 2021

GSM(CO)
CB(04/01/2022)