



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.19558 of 2021

Jahir Hussain

...Petitioner/Accused

Versus

1. Smriti Murali

...Respondent/Defacto Complainant

2. The Inspector of Police,
E-2, Royapettah Police Station,
Chennai-600 014.

...2nd Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records to quash the charge sheet in C.C.No.7225 of 2014 pending on the file of the XVIII Metropolitan Magistrate Court, Saidapet, Chennai - 600 015.

For Petitioner : Mr.V.K.Sathiamurthy

For R2 : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.7225 of 2014 on the file of the XVIII Metropolitan Magistrate Court, Saidapet, Chennai.

2.The case of the prosecution is that five years before, the 1st respondent was studying in Stella Marrys College, at that time she was introduced to the petitioner. On 31.10.2011, the 1st respondent got married with one Prasanth Vasu and she was leading matrimonial life. Whenever she went outside, the petitioner used to threaten and abuse her. On 06.02.2014, at about 11.00 a.m., when she went outside, the petitioner came in a car bearing registration number TN 02 A 3755 and hold her hands. The 1st respondent pulled away and escaped from the scene and thereafter, she lodged a complaint to the 2nd respondent and a case was registered in Crime No.372 of 2014 for offence under Sections 294(b) IPC r/w Section 4 of the Tamil Nadu Prohibition



of Women Harassment Act. On completion of investigation, charge sheet filed before the XVIII Metropolitan Magistrate, Saidapet, Chennai and the same was taken on file as C.C.No7225 of 2014.

3.The case is still at the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromised the dispute amicably among themselves.

4.An affidavit of the petitioner and the 1st respondent filed before this Court. Today, the petitioner appeared before this Court and the 1st respondent appeared through Video conferencing. This Court enquired both the parties and 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 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 charge sheet in C.C.No.7225 of 2014 on the file of the XVIII Metropolitan Magistrate Court, Saidapet, Chennai.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.7225 of 2014, on the file of the XVIII Metropolitan Magistrate Court, Saidapet, Chennai, is quashed against the petitioner.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vv2

To

1. The XVIII Metropolitan Magistrate Court,
Saidapet,
Chennai.



2. The Inspector of Police,
E-2, Royapettah Police Station,
Chennai-600 014.

3. The Public Prosecutor,
High Court, Madras.

+2ccs to Mr.C.Rajan, Advocate, S.R.No.54725

CRL.O.P.No.19558 of 2021

BS[co]
NSK 15/11/2021