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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.554 OF 2022

1. Robin Jebaraj Chelliah,
S/o.Ahas Daniel Raj.

2. Jebanesi Pushparagam,
W/o.Ahas Daniel Raj.

... Petitioners/Accused
1 & 2

Versus

1. The Inspector of Police,
AWPS Vepery,
Chennai.

... 1st Respondent/Complainant

2. Nithisha Miriam,
D/o.Antony Amalraj.

... Respondent/Defacto
Complainant

PRAYER:-

Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records of the 1st respondent in Crime No.08 of 2021 and quash the same on the ground of compromise.

For Petitioners : Mr.R.C.Paul Kanagaraj

For Respondent-1 : Mr.E.Raj Thilak
Additional Public Prosecutor

For Respondent-2 : Party-in-person

ORDER

This Criminal Original Petition is filed to call for the records of the first respondent in Crime No.08 of 2021 and quash the same on the ground of compromise.



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2. The complaint is that the second respondent/de-facto complainant is a student of M.A. (social work) and pursuing her studies in Loyola College, Chennai. Both the de-facto complainant and the first petitioner know each other from their school days and they were in contact and touch. Later, their friendship blossomed to a love affair. The second petitioner, who is the mother of the first petitioner, had no objection. In fact, the second petitioner was referring the de-facto complainant as her daughter-in-law. Due to the relationship, both the de-facto complainant and the first petitioner, became more closer and started to have physical relationship. When the de-facto complainant heard about the marriage of the first petitioner with another girl, was proposed, she questioned the same and at that time, she came to know as to how in a deceitful manner, she had been cheated. Hence, she lodged the above complaint and a case has also been registered based on the same.

3. The learned counsel appearing for the petitioner submitted that the parties have compromised the issue that arose between them and they have also filed a Joint Memorandum of Compromise, dated 05.01.2022, signed by the petitioners and the second respondent/De-facto complainant and their respective counsel.

4. The petitioners and the de-facto complainant appeared and submitted that, at the instance of the family members and friends, now, both the first petitioner and the de-facto complainant have arrived at an understanding and decided to part with their relationship and pursue their life path and career independently. The de-facto complainant realised that, pursuing the present case, will only be an obstacle for her future career. Further, realising that both are majors and educated, they continued their relationship and now they have decided to part ways.

5. The learned Additional Public Prosecutor appearing for the first respondent-Police, submitted that the de-facto complainant and the first petitioner appeared and confirmed the compromise entered into between them. The de-facto complainant is a post-graduate student, pursuing her M.A. in Loyola College, Chennai. The compromise, age and their identity were verified and confirmed. The personal relationship between the first petitioner and the de-facto complainant, and the issues between them, have now been resolved.

6. The learned counsel for the petitioners has voluntarily submitted that each of the petitioners will pay Rs.50,000/- (Rupees fifty thousand only), to the Madras Advocate Co-operative Society Limited, High Court, Madras, Chennai, in



Bank Account No.484022647, Indian Bank, High Court, Madras, Chennai-600 104. This is recorded.

7. Accordingly, the Criminal Original Petition is allowed in terms of the above said Joint Memorandum of Compromise. The FIR in Crime No.8 of 2021 on the file of the first respondent, is hereby quashed. The Joint Memorandum of Compromise, dated 05.01.2022 shall form part of this order.

* Xerox Copy of Joint Memo of Compromise is enclosed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

psa/cs

To

1. The Inspector of Police,
AWPS Vepery,
Chennai.
2. The Public Prosecutor,
High Court, Madras.

Copy To:-

The Madras Advocate Co-Operative
Society Limited,
High Court, Madras.

+1cc to Mr.R.C.Paul Kanagaraj, Advocate, S.R.No.3278

CRL.O.P.NO.554 OF 2022

SRA(CO)
PBS/24/02/2022