



Crl. O.P. No. 14789 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 4/7/2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No.14789 of 2022

a n d

Crl.M.P.No.8189 of 2022

Vishnuram

...

Petitioner

Vs

1. The State
rep. By The Inspector of Police
W 25 All Women Police Station
T Nagar
Chennai.

2. J. Shamla

...

Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the entire records in respect of Crime No.5 of 2019 on the file of the Inspector of Police, W 25 All Women Police Station, T.Nagar, Mambalam, Chennai and quash the same.



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For Petitioner

...

Mr.C. Prabhakaran
Senior Counsel
for Mr.D.Rajagopal

For respondents

...

Mr.Leonard Arul Joseph Selvam
Government Advocate
(Criminal Side)
for R.1

Mr.E. Dharmaraj
for R.2.

ORDER

This Criminal Original Petition has been filed to quash Crime No.5 of 2019, pending on the file of the Inspector of Police, W 25 All Women Police Station, T.Nagar, Mambalam, Chennai, for the offences punishable under Section 498 (A) of the Indian Penal Code.

2. Facts of the case in a nutshell are as follows:-

Marriage between the petitioner and defacto complainant was solemnized in the year 2014. When the petitioner and defacto complainant were in abroad, they have decided to go for mutual consent for divorce and hence they filed a petition, under Section 13 (b) of the Hindu Marriage Act, in O.P.No.1548 of



2016, before the Principal Family Court, Chennai and the defacto complainant is receiving Rs.10,000/- p.m., as maintenance. Now, the defacto complainant had filed a complaint before the first respondent alleging sexual harassment as against the petitioner.

3. Heard Mr.C.Prabhakaran, learned counsel for the petitioner, Mr.Leonard Arul Joseph Selvam, learned Government Advocate (Criminal Side) for the first respondent and Mr.E.Dharmaraj, learned counsel for the second respondent.

4. Today when the matter is taken up for hearing, defacto complainant was present with her counsel and filed a joint compromise memo, dated 28/4/2022 entered into between the parties. Ms.N.Uma, Sub-Inspector of Police, W 25 All Women Police Station, T. Nagar, Chennai 17 is also present.

5. On enquiry, the defacto complainant submitted that they have amicably settled the matter, outside the Court and prays this Court to quash F.I.R.in Crime No.5 of 2019, pending on the file of the first respondent.



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6. A perusal of the joint compromise memo would indicate that both the petitioner and defacto complainant have arrived at an amicable settlement without any force before the Mediator. Both the parties have agreed to file a petition for dissolution of marriage by mutual consent on 28/4/2022. Both the parties have agreed to withdraw all the cases filed by them.

7. The learned counsel appearing for the petitioner submitted that the petitioner had paid a sum of Rs.4,00,000/- (Rupees Four lakhs only) by way of D.D bearing No.424504, dated 27/4/2022, drawn on Union Bank of India, in favour of the respondent. With regard to the balance payment of Rs.18,00,000/- the petitioner will pay the same, at the time of the final hearing of the mutual consent divorce petition.

8. Keeping in view the facts and circumstances of the case, as the matter has been settled between the parties, this Court is inclined to quash all the proceedings emanating from F.I.R.No.5 of 2019, pending on the file of the Inspector of Police, W 25 All Women Police Station, T.Nagar, Chennai, first respondent.



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9. Accordingly, this Original Petition is allowed and F.I.R.No.5 of 2019, pending on the file of the Inspector of Police, W.25 All Women Police Station, T. Nagar, Chennai, first respondent is quashed. Joint Memo of Compromise dated 28/4/2022 shall form part of the records. Consequently, connected Criminal Miscellaneous Petition is closed.

4/7/2022

Index : Yes / No

Internet: Yes

Speaking/non speaking order

mvs.

To

1. The Inspector of Police
W 25 All Women Police Station
T Nagar
Chennai.

2. The Public Prosecutor
Madras High Court.



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N. SATHISH KUMAR, J

mvs.

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