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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.26075 OF 2021

Sathish Kumar, S/o Vilvanathan

..Petitioner

Vs.

1. State by

The Inspector of Police,
W8-All Women Police Station,
Thirumangalam,
Chennai District.
Crime No.10 of 2019.

2. Chamundeeswari, D/o Sugumaran

..Respondents

Criminal Original Petition (Crl.O.P) filed under Section 482 of the Code of Criminal Procedure (Cr.P.C) praying to call for the records in Crime No.10 of 2019 pending on the file of the Inspector of Police, W8 - All Women Police Station, Thirumangalam, Chennai District and quash the FIR pending against the petitioner.

For petitioner : Mr.S.Silambu Selvan

For respondents : Mr.E.Raj Thilak, Addl.P.P. for R-1

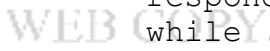
ORDER

The petitioners has been filed this Crl.O.P. praying to call for the records in Crime No.10 of 2019 pending on the file of the Inspector of Police, W8 - All Women Police Station, Thirumangalam, Chennai District and quash the FIR pending against the petitioner.

2. The first respondent-Police had registered a case against the petitioner for the offences punishable under Sections 417 and 376 IPC, and the case is now pending investigation.

3. The case of the prosecution is as follows:

(a) The second respondent is the de-facto complainant who had lodged the complaint before the first respondent-Police on 11.06.2019. She had graduated in B.Tech (IT) and worked under the TCS Ascendas, IT Part, Chennai. The second respondent came



(b) The petitioner promised to marry the second respondent/de-facto complainant. That being so, on 05.05.2018, while she went to attend a marriage in Chitoor, the petitioner and herself had a physical relationship, pursuant to which, they went to Cinema, Park and Beach.

4. When this CrI.O.P. came up for hearing on 12.01.2022, this Court passed the following order:

2. The learned Additional Public Prosecutor submitted that the above case in Crime No.10 of 2019 had been transferred from the All Women Police Station, Thirumangalam to the W-19, All Women Police Station, Adyar on 21.06.2019. Presently the case is pending before the W-19, All Women Police Station, Adyar.

4. Post the matter on 19.01.2022 at 2.30 p.m. under the caption "Compromise Quash".

6. Heard both sides and perused the materials available on record.



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7. It is worthwhile to mention that this Court, in CrI.O.P.No.16648 of 2018, by order dated 28.06.2018 (Kumar @ Tennish Vs. Inspector of Police, Latheri Police Station, Katpadi Taluk, Vellore District and another), had quashed the proceedings on the compromise arrived at between the accused and the de-facto complainant therein.

8. Considering the compromise arrived at in between the parties in the case on hand, and also taking into consideration the above decision of this Court, this Court is of the view that the continuation of the criminal proceedings, in the case on hand, will not serve any purpose.

9. Accordingly, this Criminal Original Petition is allowed. The F.I.R. in Crime No.10 of 2019 on the file of the first respondent-Police, which had now been transferred to the file of the Inspector of Police, W-21 All Women Police Station, Guindy, Chennai, is hereby quashed. Consequently, CrI.M.P.No.14471 of 2021 is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

cs/psa

To

1. The Inspector of Police,
W-8 All Women Police Station,
Thirumangalam, Chennai District.
Crime No.10 of 2019.
2. The Inspector of Police,
W-21 All Women Police Station,
Guindy, Chennai.
3. The Inspector of Police,
W-19 All Women Police Station,
Adyar, Chennai.
4. The Public Prosecutor, High Court, Madras.

CrI.O.P.No.26075 of 2021

SRA (CO)
KKV/02/02/2022