



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 03.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No. 25268 of 2017 and
Crl.M.P.Nos. 14532 and 14533 of 2017

Mirza Ismail . . . Petitioner/Accused

Versus

Radha Venuprasad . . . Respondent/Petitioner

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in C.C.No.713 of 2017, pending on the file of the Learned Judicial Magistrate, Alandur and quash the same.

For Petitioner: Mr.S.P.Arthi

For Respondent: Mr.V.Ayyadurai Senior Counsel
for M/s.P.Wilson Associates

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.713 of 2017, filed against the accused for the offence under Sections 499 and 500 IPC, pending on the file of the Learned Judicial Magistrate, Alandur.

2. The private complaint was originally filed against the present petitioner for making certain remarks against the respondent. According to the respondent, such remarks has defamed and brought her reputation down in the eye of the public, thereby, the private complaint has been lodged. The same is sought to be quashed.

3. During the submissions, it is agreed by both the sides that if the petitioner files an affidavit of repentance and an unconditional apology and also payment of Rs.15,000/- towards charitable purpose, the respondent is agreed to withdraw the complaint and compromise the matter. For the above purpose, the matter has been adjourned to today.



4. When the matter came up today for hearing, the learned counsel appearing for the petitioner submitted that they have filed an affidavit of repentance, wherein, the petitioner has expressed his repentance and also tendered unconditional apology. The learned senior counsel appearing for the respondent has also firmly submitted that in paragraphs 3 and 4 of the affidavit, the petitioner has expressed his unconditional apology besides that he has also agreed to pay a sum of Rs.15,000/- to the Medical Research Foundation.

5. Ms.S.P.Arthi, the learned counsel appearing for the petitioner submitted that she has the cheque for Rs.15,000/- ready to be handed over to the respondent counsel. Mr.V.Ayyadurai, learned Senior Counsel submitted that he will receive the cheque from Ms.S.P.Arthi, counsel for the petitioner. As the parties have settled the dispute and the de facto complainant has also agreed to withdraw the complaint and the matter is also compoundable under Section 320 Cr.P.C., this Court is inclined to quash the proceedings, in view of the settlement arrived between the parties.

6. Accordingly, this Criminal Original Petition is allowed. The proceedings in C.C.No.713 of 2017, on the file of the Learned Judicial Magistrate, Alandur is quashed. Consequently, connected Criminal Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

psa/asr

To

The Learned Judicial Magistrate,
Alandur.

+lcc to Mrs.S.P.Arthi, Advocate SR.No.221

Cr1. O.P. No. 25268 of 2017

VG II(CO)
CB(20/01/2022)