



WEB COPY



CRL.O.P.No.29283 / 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2022

CORAM

THE HON'BLE MS.JUSTICE R.N.MANJULA

CRL.O.P.No.29283 of 2019
and CrI.M.P. No.15808 of 2019

K.Srinivasan

... Petitioner

VS.

1.The State of Tamil Nadu,
Rep. by its
Inspector of Police, Law & Order,
B-4, High Court Police Station,
Chennai.

2. Indhumathi

.. Respondents

Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records and quash the FIR in Cr.No.21 of 2019 dated 14.10.2019 on the file of the first respondent herein and quash the same.

For Petitioners : Mr.G.Mohana Krishnan

For Respondent-1 : Mr.A.Damodaran
Additional Public Prosecutor

2 : Party-in-person



ORDER

WEB COPY

This Criminal Original Petition has been filed to call for the records and quash the FIR in Cr. No.21 of 2019 dated 14.10.2019 on the file of the first respondent.

2. The case of the prosecution is that the second respondent is a practising advocate and when she was about to enter into the II Small Causes Court, Chennai for attending the pre-sitting session of Lok Adalat, a mob of about ten advocates headed by the first accused stopped her in the entrance of the Court and threatened her not to enter into the Court as there is a boycott. Despite the same when she entered into the Court hall, the named advocates along with others entered into the Court hall and abused her in the presence of Judge and Court staffs and prevented her from bringing up the bundles and intimidated her by abusing in filthy language and attempted to attack her. After getting approval from the Security Committee of the High Court, a complaint of the second respondent was forwarded to the first respondent by the Registrar-Administration in R.O.C. No.72224-E/2019/D8 dated 09.10.2019 and on the basis of which, a case has been registered in Cr.



No.21 of 2019 for the offences under Section 341, 294(b), 354, 506(1)

WEB COPY
IPC.

3. Heard Mr.G.Mohana Krishnan, learned Senior Counsel appearing for the petitioner, Mr.A.Damodaran, learned Additional Public Prosecutor and Ms.Indhumathi, the second respondent herein.

4. Mr.G.Mohana Krishnan, learned counsel for the petitioner submitted that the petitioner and the *de facto* complainant are the members of the same fraternity and they have compounded the matter and amicably settled the issue among themselves; hence the FIR in Cr.No.21 of 2019 dated 14.10.2019 has to be quashed.

5. The *de facto* complainant had expressed the difficulty faced by her on the alleged date of occurrence amidst of the group of ten advocates who disgraced her when she continued to participate in the Lok Adalat proceedings during boycott. However, the *de facto* complainant and the petitioner who belong to the same profession and profess advocacy in the same place have decided to bury the hatchets in



the common interest of all. In this regard the *de facto* complainant had also filed an affidavit expressing her willingness to settle the issue without pursuing it further.

6. When the matter is taken up today, both the petitioner and the *de facto* complainant were present. The *de facto* complainant has stated that she has consented to settle the matter without any coercion or influence. The petitioner has also regretted the misunderstanding developed between themselves.

7. The petitioner and *de facto* complainant are practising advocates and they belong to the same fraternity. They have chosen to resume cordial relationship between themselves. Hence, I feel that it is appropriate to allow the matter to get settled as understood between the petitioner and the *de facto* complainant.

8. Even though the petitioner has been charged for the offence under Section 294(b), 354 IPC which are non-compoundable in nature, no useful purpose will be served in view of the settlement arrived



CRL.O.P.No.29283 / 2019

between the parties. 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)**, this Court in exercise of its power under Section 482 Cr.P.C. prefers to quash the proceedings in Crime No.21 of 2019, on the file of the 1st respondent.

9. In view of the above stated reasons, this Criminal Original Petition is allowed and the FIR in Cr. No.21/2019 dated 14.10.2019 on the file of the first respondent is quashed as against the petitioner. Consequently, connected miscellaneous petition is closed.

07.12.2022

Index : Yes/No

Internet : Yes/No

bkn

To

1.The Inspector of Police
Law and Order,
B-4, High Court Police Station,
Chennai.

2.The Public Prosecutor
High Court of Madras
Chennai.



WEB COPY



CRL.O.P.No.29283 / 2019

R.N.MANJULA, J.

bkn

CRL.O.P.No.29283 of 2019

07.12.2022