



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.6041 of 2022

Ashik Ranald

... Petitioner/Accused No.2

Vs.

1.The Inspector of Police,
All Women Police Station,
Colachel,
Kanyakumari District.
(In Crime No.23 of 2021). ... 1st Respondent/Complainant

2.Ashika ... 2nd Respondent/Defacto complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating in FIR in Crime No.23 of 2021, dated 20.05.2021 on the file of the Inspector of Police, All Women Police Station, Colachel, Kanyakumari District.

For Petitioner : Mr.R.Anand
for Mr.M.Maharaja

For R - 1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)

For R - 2 : Mr.P.Venkata Subramanian

ORDER

The Criminal Original Petition has been filed to quash the FIR as against the petitioner/Accused No.2 in Crime No.23 of 2021 on the file of the first respondent for the offences under Sections 13(a) and 14(1) of the Protection of Child from Sexual Offences Act, 2012 and Section 678 of Information Technology Act, 2000.

2. The case is under investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Memo of Compromise has been filed before this Court which has been signed by the petitioner and the second respondent and also by their respective counsel.



4. Under such circumstances, no useful purpose will be served in keeping the FIR in Crime No.23 of 2021 pending on the file of the first respondent, even though, the offences involved are not compoundable in nature. 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 jurisdiction under Section 482 Cr.P.C. quashes the FIR in Crime No.23 of 2021.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.23 of 2021 pending on the file of the first respondent is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) as costs, **to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172)** on or before 18.04.2022 and produce the receipt before the respondent police, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ps

Encl.: xerox copy of Joint Compromise memo.

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

- 1.The Inspector of Police,
All Women Police Station,
Colachel, Kanyakumari District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



Copy to
The Officer Incharge,
Chief Ministers Public Relief Fund,
Finance(CMPRF) Department,
Government of Tamil Nadu,
Secretariat, Chennai 600 009.

Order made in
CrI.O.P(MD)No.6041 of 2022
07.04.2022

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TR(08.04.2022) 3P 4C