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Crl.O.P.No.1480 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.1480 of 2023

Manikandan

... Petitioner

Vs.

1.The State represented by
The Inspector of Police,
Killai Police Station,
Cuddalore – 600 014.

2.Sathya

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the proceedings in Crime No.77 of 2022 pending on the file of the 1st respondent Police and quash the same as against the petitioner/accused and pass such or other orders as this Court may deem fit and property in the circumstances of the case and thus render justice.

For Petitioner : M/s.G.Muthukumar

For R-1 : Mr.S.Santhosh

Government Advocate (Criminal Side)

For R2 : M/s.Melky Sedhak



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ORDER

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2.The case in Cr.No.77 of 2022 was registered against the petitioner for offence under Section 506 (1) I.P.C., Section 4 of TN Prohibition of Harassment of Women Act, 2002 and Section 65 of Information Technology Act, 2000, by Killai Police Station and the allegation that the petitioner had criminally intimidated and sexually harassed the defacto-complainant stating that he would expose the photos taken at the time when they were in love with each other. Therefore, the case was registered.

3.When the matter is taken up, the petitioner, second respondent/defacto-complainant are present and they were identified by Mr.R.Venkatachalam, Sub Inspector of Police, G-2, Killai Police Station, Cuddalore District. A joint memo dated 23.01.2023 for compromise by the petitioner and second



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respondent/defacto-complainant is filed. Second respondent has also filed consent affidavit. It is seen from the joint compromise memo and consent memo filed that the parties have mutually resolved to settle their dispute and second respondent is not willing to prosecute the petitioner. She has no objection for quashing the criminal complaint against the petitioner in Cr.No.77 of 2022 on the file of the first respondent.

4. The learned Government Advocate (Crl.Side) submitted that the case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

5. Considering the fact that the issue between the parties had compromised and that the second respondent does not want to prosecute the case against the petitioner, and that she has no objection for quashment of proceedings, no useful purpose will be served in keeping the proceedings pending in Crime No.77 of 2022 against the petitioner. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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6. 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 proceedings pending in Crime.No.310 of 2022 on the file of the respondent police against the petitioner.

7. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings pending in Crime.No.77 of 2022, on the file of the respondent police against the petitioner is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently, the connected Miscellaneous Petition is closed.

27.02.2023

Internet : Yes / No

Index : Yes / No

Speaking/Non speaking order

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To

- 1.The Inspector of Police,
T-17, Perumbakkam Police Station,
Chennai – 600 100.
2. The Public Prosecutor,
Madras High Court.



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G.CHANDRASEKHARAN,J.
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