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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.5798 of 2022
and Crl.MP.No.3187 of 2022

1.Udhayakumar, M/A-26
S/o.Selvaraj

2.Nishanthraj, M/A-27
S/o.Rajendran

3.Madhusoodhan, M/A-26 Y
S/o. Of Selvan

.. Petitioners/Accused 1 to 3

.Vs.

1.State rep.by
Inspector of Police
Perambalur Police Station
Perambalur District.
Crime No.511/2019.

...Respondent No.1/
Complainant

2.P.Venkatraj, M/A-58
S/o.Pichai Pillai.

...Respondent No.2/
De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of the Crime No.511 of 2019 dated 01.09.2019 on the file of the respondent police, quash the same.



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For Petitioners : Mr.R.Sankarasubbhu
for Mr.C.Panneer Selvam

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.side)
for R1

No Appearance for R2

ORDER

This criminal original petition has been filed to quash the FIR in Crime No.511 of 2019, pending investigation before the 1st respondent.

2.Heard Mr.R.Sankarasubbhu, learned counsel for the petitioners and Mr.A.Gopinath, learned Government Advocate (Crl.side) for the 1st respondent. The 2nd respondent has been served with notice and the name of the 2nd respondent has also been printed in the cause list. However, there is no representation for the 2nd respondent either in person or through counsel.

3.The case of the prosecution is that the 1st petitioner (A1) was studying along with the daughter of the *de facto* complainant and both of them had known each other. The daughter of the *de facto* complainant was married to one Suresh and she had gone along with him to Saudi Arabia and settled there. It is alleged that the 1st petitioner along with his friends (A2 to A4) started threatening the son-in-law of the 2nd respondent and were further threatening to share the photographs of the girl. This was informed by the son-in-law of the 2nd respondent



and hence, the 2nd respondent proceeded to give the complaint before the 1st respondent and an FIR came to be registered in Crime No.511 of 2019 on 1.9.2019.

4.It is brought to the notice of this Court that all the petitioners are engineering graduates and after the complaint was given, there has been absolutely threat exerted on the side of the accused persons. That apart, the daughter of the 2nd respondent is also now well settled in Saudi Arabia. An undertaking affidavit has been filed by the petitioners and the relevant portions are extracted hereunder:

14.I further submit that, I have never threatened the de facto complainant or his daughter or his son-in-laws as mentioned by the defacto complainant and I do not have any such photographs as alleged by the 2nd respondent/Defacto complainant herein.

15.I further submit that, I undertake that, I myself or the other 2 petitioners herein shall not have any contact with the daughter of the 2nd respondent herein in near future in any manner, including social media.

5.It is clear from the above that the petitioners do not possess any incriminating photographs and they have also given an undertaking that they will not interfere with the life of the daughter of the 2nd respondent and will not share any messages in the social media.

6.Considering the age of the petitioners and also of the fact that all of them have now completed engineering course and the entire incident had taken place in a



spur of the moment, it is not necessary to prosecute this case any further. The fact that the FIR has been pending against the petitioners from the year 2019 onwards is by itself is a sufficient punishment for the petitioners.

7.In the light of the above discussion, the FIR in Crime No.511 of 2019 pending on the file of the 1st respondent is hereby quashed and this criminal original petitions stands allowed. Consequently, connected miscellaneous petition is closed.

11.09.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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To

1. Inspector of Police
Perambalur Police Station
Perambalur District.
2. The Public Prosecutor,
High Court of Madras,
Madras.

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N. ANAND VENKATESH,, J.

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