



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2023

CORAM

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

Crl.OP No.9375 of 2022
and
Crl.M.P.No.5515 of 2022

1.Rajapandian

2.Muthuswamy

3.Alamelu

4.Manikandan

5.Ondakaiyan @ Lakshmanan .. Petitioners

Vs.

1.State rep. by
The Inspector of Police,
Virudhachalam Police Station,
Virudhachalam Taluk,
Cuddalore District.
(Cr. No.288 of 2021)

2.P.Ramalingam .. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to
quash the impugned FIR in Cr.No.288 of 2021 on the file of the first
respondent police.

For Petitioners :Mr.R.Gopinath

For Respondent-1 :Mr.L.Baskaran
Govt. Advocate (Crl. Side)

For Respondent-2 :Mr.N.Balaji



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ORDER

When the matter came up for hearing today, the petitioners are personally present before this Court and identified themselves.

2. Heard the learned counsel for the petitioners as well as the learned counsel for the second respondent and the learned Government Advocate (Crl. Side) for the first respondent.

3. A memo of compromise dated 20.12.2023 has been entered into between the petitioners and the second respondent herein. Both the parties are mutually and amicably resolved the disputes in terms of the said memo of compromise. The said memo of compromise reads as follows:

"1.It is submitted that the FIR in Cr. No.288 of 2021 was registered by the first respondent police, for the offence under Section 366(A) of IPC, pursuant to a complaint preferred by the second respondent i.e., the father of th alleged victim girl viz., Sundarambal.

2.It is submitted that the alleged victim girl viz., Sundarambal, who is a major, married the first petitioner herein viz., Mr.Rajapandian and they are living peacefully as husband and wife. The said



marriage was a love marriage and out of the wedlock, they have also given birth to a male child on 16.01.2023, whom they name Nigeedharan.

3.It is submitted that in view of the fact that the alleged victim girl viz., Sundarambal, is married and settled with the first petitioner happily, the second respondent is not willing to pursue the FIR in Crime No.288/2021, henceforth and thus, hereby gives his consent to quash the said FIR in Crime No.288/2021, considering the future of his daughter and her family. Moreover, the second respondent preferred complaint that transpired in FIR in Crime No.288/2021, due to his unawareness about the love affair of his daughter above named, had with the first petitioner.

4.It is submitted that the petitioners have not indulged into any crime as alleged in the FIR in Crime No.288/2021 and hereby undertake not to indulge in any crime in future.

5.It is submitted that the second respondent has given his above consent, out of his free will and without any threat or coercion. Hence, the above CrI.O.P. No.9375 of 2022, may be allowed, by quashing the FIR in Crime No.288 of 2021. Otherwise, the petitioners and the second respondent will be put to irreparable loss and untold hardship."



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5. In view of the mutual and amicable settlement arrived at between the parties, it would be appropriate to quash the FIR in Cr.No.288 of 2021 on the file of the first respondent herein, which is also one of the terms of the said memo of compromise.

6. In the result, the Criminal Original Petition is allowed. Consequently, the FIR in Cr.No.288 of 2021 on the file of the first respondent herein stands quashed. The memo of compromise dated 20.12.2023 shall form part of the order. Connected Miscellaneous Petition is closed.

20.12.2023

Index:Yes/No
Internet:Yes/No
NCC: Yes/No

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To

- 1.The Inspector of Police,
Virudhachalam Police Station,
Virudhachalam Taluk,
Cuddalore District.
- 2.The Public Prosecutor,
High Court, Madras.



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VIVEK KUMAR SINGH.J,

DP

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