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Crl.O.P.No.12518 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.12518 of 2023

and

Cr.M.P.No.7654 of 2023

Midhun Mathew

...Petitioner

Vs.

1.The State represented by
The Inspector of Police,
F2 Police Station, Egmore,
Chennai.

2.Thejas Santhosh

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records culminating in the criminal proceedings pending against the petitioner in Crime No.456 of 2022 on the file of the F-2 Police Station, Egmore, Chennai and quash the same.

For Petitioner : Mr.K.F.Manavalan
For R-1 : Mr.Leonard Arul Joseph Selvam
Government Advocate (Criminal side)

ORDER

This Criminal Original Petition is filed to call for the records in Crime No.456 of 2022, on the file of the F-2 Police Station, Egmore, Chennai and quash the same.



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2. FIR allegations show that second respondent gave a complaint against the petitioner alleging that he is stalking her through phone and in person. He was threatening her that he will share her nude photos with her family and shared her photos with her family members without her consent. On the basis of the complaint allegations, FIR in Crime No.456 of 2022, was registered for the offences under Sections 354 A & 354 D IPC, Section 67 of Information Technology Act, 2000 and Section 4 of TN Prohibition of Harassment of Women Act, 2002 against the petitioners.

3. The learned Government Advocate (Crl.Side) submitted that, by passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4. A Joint Memo of Compromise dated 14.06.2023 has been filed before this Court, which has been signed by the petitioner and the second respondent and also by the learned counsel for the petitioner.



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5. Petitioner and the second respondent were also present in person before this Court and they were identified by **Mr.V.Kotteeswaran, S.I, F2-Egmore Police Station, Law and Order, Chennai - 8.** This Court also enquired both the parties and is satisfied that the parties have come to an amicable settlement between themselves. The second respondent answered this Court, that she had entered into a Memorandum of compromise with the petitioner and she has no objection for quashing the proceedings in First Information Report in Crime No.456 of 2022, on the file of the first respondent.

6. Considering the fact 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 in First Information Report in Crime No.456 of 2022, on the file of the first respondent.

7. 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C.,



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quashes the First Information Report in Crime No.Crime No.456 of 2022, on the file of the first respondent.

8.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the First Information Report in Crime No.456 of 2022, on the file of the Inspector of Police, F2- Egmore Police Station, Law and Order, Chennai – 600 008 against the petitioner is quashed and the terms of joint compromise memo and the consent affidavit shall form part and parcel of this order. Consequently, connected Miscellaneous Petition is closed.

16.06.2023

Internet :Yes
Index :Yes/No
sli

To:

1.The Inspector of Police,
F2 Police Station, Egmore,
Chennai.

2.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J.
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