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CrI.O.P.(MD)No.194 of 2023



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

Reserved on : 01.02.2023

Delivered on : 28.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR**

**CrI.O.P.(MD)No.194 of 2023**

Ananda Perumal

... Petitioner/  
Sole Accused

vs.

1.The Sub-Inspector of Police,  
Karungal Police Station,  
Kanyakumari District.  
(Crime No.600 of 2014)

...1<sup>st</sup> Respondent/  
Complainant

2.R.P.Jim

...2<sup>nd</sup> Respondent/  
De-Facto  
Complainant

3.Sugirtha Jim

...3<sup>rd</sup> Respondent/  
Victim

**PRAYER** : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records on the file of the first respondent, Karungal Police Station, Kanyakumari District in Crime No. 600 of 2014 dated 15.11.2014 and to quash the same as against the petitioner.



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For Petitioner : Mr.S.C.Herold Singh  
For R1 : Mr.M.Muthumanikkam  
Government Advocate (Crl. Side)  
For R2 & R3 : Mr.T.Jeen Joseph

### **ORDER**

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to call for the records pertaining to the First Information Report in Crime No.600 of 2014 on the file of the first respondent police and quash the same.

2. The case of the prosecution is that the petitioner had created a fake facebook account in the name of the third respondent and gave a friend request to the third respondent's friend and the same was accepted by the third respondent's friend and the third respondent's friend started chatting through that account in a presumption that she is chatting with the third respondent, that the petitioner asked her mobile number and E-mail ID and the same was furnished by her and that the petitioner also asked the third respondent's college-mate one H.R.Ajith's facebook



account and E-mail ID on 29.10.2014 and hacked his account and misused the same. Hence, the second respondent, who is the husband of the third respondent, has lodged a complaint.

3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner would submit that the second respondent has lodged a complaint before the first respondent and on that basis, FIR came to be registered in Crime No.600 of 2014 dated 15.11.2014 for the offences under Sections 66(A), 66(B), 66(C), 66(D) and 66(E) of Information Technology Act, 2000.

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

5. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the respondents 2 and 3 and also by their respective counsel. The petitioner appeared before this Court through Video Conferencing and the respondents 2 and 3 were present in person before this Court and they were identified by Mr.B.Mahesh, Sub Inspector of Police, Karungal Police Station as well



as by the learned counsels appearing for the parties. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6. In the instant case, the dispute is of personal in nature and now the parties had compromised. Where the parties have compromised the matter, the High Court has power to quash the complaint for the offences under Sections 66(A), 66(B), 66(C), 66(D) and 66(E) of Information Technology Act, 2000.

7. The legal position expressed by the Hon'ble Apex Court in the case of ***Gian Singh vs. State of Panjab and another*** reported in ***(2012)10 SCC 303*** and ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath*** reported in ***(2017)9 SCC 641*** were taken into consideration.

8. In the light of the guidelines issued in the above said Judgments of the Hon'ble Apex Court, no useful purpose will be served in keeping the proceedings in Crime No.600 of 2014 pending before the first respondent police, even though, the offences involved are not compoundable in nature.



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9. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.600 of 2014 on the file of the first respondent police, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

**28.04.2023**

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

To

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



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**K.MURALI SHANKAR, J.**

csn

**Pre-delivery order made in**  
**Crl.O.P.(MD)No.194 of 2023**

**Dated : 28.04.2023**