



Crl.O.P.(MD)No.148 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.(MD)No.148 of 2023

Maruthappan

... Petitioner/Sole Accused

vs.

1.State Represented by
The Inspector of Police,
Alanganallur Police Station,
Madurai District
(Crime No.452 of 2016)

... 1st Respondent/Complainant

2.Vijayalakshmi

... 2nd Respondent/Defacto -
Complainant

3.Gomathi Alias Parameswari

... 3rd Respondent/Victim

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records pertaining to the Crime No.452 of 2016 on the file of the 1st respondent herein and quash the same.

For Petitioner : Mr.S.Ayyanar Prem Kumar

For R1 : Ms.M.Aasha
Government Advocate (Crl. Side)

For R2 & R3 : Mr.V.Chidhambaram

ORDER

The Criminal Original Petition has been filed to quash the First



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Information Report on the ground of compromise in Crime No.452 of 2016, dated 16.10.2016, on the file of the Inspector of Police, Alanganallur Police Station, Madurai District.

2. The parties are present before this court, and a joint compromise memo has also been filed.

3. The de-facto complainant, upon being questioned, insists that all further proceedings be dropped, and is not willing to pursue the case any further.

4. On perusal of the allegations, it can be seen that the victim's mother had given a complaint that even though the victim was moving friendly with the petitioner, merely because she stopped talking with the petitioner, he shared the pictures of the victim in a WhatsApp group and Facebook, and hence, the offence under Section 354C of the Indian Penal Code read with 67 of the Information Technology (Amendment) Act, 2008 and thereafter, it was altered to Sections 294(b), 354C and 506(ii) IPC read with 67 of the Information Technology (Amendment) Act, 2008.



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5. This Court went through the gamut of allegations made, and considering the fact that the victim has moved on in her life, and got married and living with third person in Chennai, and considering the submission of the victim that this may result in further repercussion, and considering the pleading of the de-facto complainant that she is not willing to press the case any further, and considering the fact that the chances of the prosecution to get a conviction is almost nil, and also considering the predominant allegation that on fear of the victim leaving the affair the petitioner shared a picture, I am of the view that this is a fit case to exercise the inherent power of this Court under Section 482 of the Code of Criminal Procedure.

6. In view thereof, the Criminal Original Petition stands allowed. Accordingly, the case, in Crime No.452 of 2016 on the file of the Inspector of Police, Alanganallur Police Station, Madurai District, shall stand quashed.

18.09.2024

NCC : Yes / No
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D.BHARATHA CHAKRAVARTHY, J.

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To

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

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