



Crl.O.P.No.5772 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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Elaiyaraja

... Petitioner

Vs

1. The State of Tamilnadu
Represented By,
The Inspector of Police,
All Women Police Station,
Cuddalore.
(In F.I.R.No.07 of 2022)

2. Deepa ... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Crl.P.C/Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in SC.No.76 of 2023 on the file of the Learned Mahila Judge, Cuddalore and Quash the same.

For Petitioner : Mr.M.R.Thangavel

For R1 : M/s J.R.Archana
Government Advocate (Crl.side)



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ORDER

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This petition has been filed to quash the proceeding in SC.No.76 of 2023 on the file of the Learned Mahila Judge, Cuddalore.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the first respondent and perused the materials placed on record.

3. The case of the prosecution is that the second respondent is a married woman and is having two children. It is alleged that the second respondent approached the petitioner, who is being the Village Administrative Officer for change of patta and later they developed relationship with each other. It is further alleged that the petitioner and the second respondent had physical relationship and later the petitioner threatened the second respondent that he would expose her obscene photographs and screenshots. Hence, the complaint.

4. On receipt of the complaint, the first respondent registered FIR in Crime No.07 of 2022 for the offences punishable under Sections 366, 376 and 506(1) of IPC. After completion of investigation, the first respondent filed a



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final report and the same has been taken cognizance in SC.No.76 of 2023 on the file of the Learned Mahila Judge, Cuddalore.

5. Now, since the second respondent did not want to proceed further, the petitioner filed this petition to quash the entire proceedings under compromise.

6. Though the second respondent did not want to proceed further, this Court cannot quash the proceeding under compromise, since the petitioner had committed very serious and heinous offence as against the second respondent.

7. In support of his contention, the learned counsel for the petitioner relied upon the Judgment of the Hon'ble Supreme Court of India reported in **CDJ 2024 SC 979** in the case of *XYZ Vs The State of Gujarat and another*. A perusal of the Judgment of the Hon'ble Supreme Court of India revealed that if there is any settlement between the victim and the accused, the compromise quash can be considered.

8. In the case on hand, admittedly, the victim got married to another person and the accused got married to another person. Therefore, it is not a



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genuine settlement between the parties.

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9. In view of the above, this Court is not inclined to quash the proceeding in SC.No.76 of 2023 on the file of the Mahila Judge, Cuddalore.

Accordingly, this Criminal Original Petition is dismissed.

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Internet: Yes
Index: Yes/No
Speaking/Non speaking order
mn



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To

1. The Mahila Judge, Cuddalore.
2. The Inspector of Police,
All Women Police Station,
Cuddalore.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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