



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2025

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P(MD)No.8714 of 2024

1.C.M.Brooklin

2.Riya Prasad

... Petitioners

-Vs-

1.State by,

Inspector of Police,
Nesamony Nagar Police Station,
Nagercoil,
Kanyakumari District.
(In Crime No.13 of 2024)

2.V.M.Blessy Geo

... Respondents

Prayer: Criminal Original Petition - filed under Section 528 of Bharatiya
Nagarik Shuraksha Sanhita, to call for the records pending on the file of
the first respondent police viz., the Inspector of Police, Nesamony Nagar
Police Station, Nagercoil, in Crime No.13 of 2024 and quash the same.

For Petitioners : Mr.T.S.R.Venkatraman for
Mr.P.S.Dhaanushan

For R1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

For R2 : Mrs.K.R.Vishnu Priya

ORDER

The Criminal Original Petition has been filed to quash the First
Information Report in Crime No. 13 of 2024 on the file of the first
respondent Police.



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2. The case of the prosecution is that the petitioners are said to have harassed the defacto complainant demanding money by threatening her that the illegal relationship with the first respondent will be published.

3. The learned counsel appearing for the petitioners would submit that the second respondent has lodged a complaint before the first respondent Police and on that basis, F.I.R. came to be registered in Crime No. 13 of 2024 for the offences under Sections 406, 417, 420, 120B, 384, 506(1) of IPC and Section 67 of the Information Technology Act, 2006.

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 has been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Ms.T.Padma, WSSI of Police, Nesamony Nagar Police Station, Nagercoil District as well as by the learned counsel 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.

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6. In the instant case, the parties have compromised the matter amicably. The High Court has power to quash the complaint even if the offences are non compoundable in nature, considering the facts and circumstances of the case.

7. The legal position expressed by the Hon'ble Apex Court in the case of *Gian Singh vs. State of Punjab and another* reported in *(2012)10 SCC 303* and *Parbatbhai Aahir @ Parbatbhai Vs. State of Gujarat* 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.13 of 2024, pending before the first respondent Police, even though, the offences involved are not compoundable in nature.

9. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.13 of 2024, 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.

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10.01.2025

Index : Yes/No

Internet : Yes/No

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To

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



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M.NIRMAL KUMAR,J.

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