



WEB COPY



Crl.O.P.No.24260 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.Nos.24260 & 24262 of 2022

In Crl.O.P.No.24260 of 2022

- 1.Mohan Raj
- 2.Aexzandor @ Alexander
- 3.Vimalraj
- 4.Vignesh

...Petitioners

/vs/

- 1.State by
The Inspector of Police,
Vaitheeswarankovil Police Station,
Mayiladuthurai Dist.

- 2.Venkatesh

... Respondents

In Crl.O.P.No.24262 of 2022

- 1.Venkatesh
2. Babu

...Petitioners

/vs/

- 1.State by
The Inspector of Police,
Vaitheeswarankovil Police Station,
Mayiladuthurai Dist.

- 2.Mohanraj

... Respondents



Crl.O.P.No.24260 of 2022

Common Prayer : The Criminal Original Petition have been filed under Section 482 Cr.P.C. to call for the records pertaining to the FIR in Cr.Nos.108 & 109 of 2021 on the file of Vaitheeswarankoil Police Station at Mayiladuthurai District and quash the same.

For Petitioners ... Mr.N.Naresh

For Respondent ... Mr.S.Santhosh
No.1 Government Advocate (Crl.Side)

COMMON ORDER

These Criminal Original Petitions have been filed to call for records and quash the FIR in Crime Nos.108 & 109 of 2021 for the alleged offences under Sections 294(b), 324 and 506(ii) of IPC, pending on the file of the 1st respondent police.

2. The learned counsel for the petitioners has submitted that FIR in Cr.No.108 of 2021 for the offences punishable under Sections 294(b), 324 and 506(ii) of IPC was registered against the petitioners on 20.02.2021 and a counter complaint has been registered in Cr.No.109 of 2021 on the same day itself under the same Sections.



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3. These cases are still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves. Hence the matter is settled out of court. The parties are identified by learned counsel on either side and the respondent police. The offences in both the cases are private in nature and also settled out of court. The defacto complainant do not want to prosecute the case further since it is a case and case in counter and also settled out of court.

4. Under such circumstances, no useful purpose will be served in keeping the case pending. Even though, the offences involved are not compoundable in nature, 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Case in Crime Nos.108 & 109 of 2021 on the file of the first respondent police.



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5. The parties are present before this Court along with their respective counsel. This Court also enquired both the parties and satisfied that the parties have come to an amicable settlement between themselves.

6. The said compromise is recorded.

7. In view of the above, this Court is inclined to quash the criminal proceedings in Cr.Nos.108 of 2021 and 109 of 2021 on the file of the Vaitheeswarankoil Police Station at Mayiladuthurai District in exercise of its jurisdiction under Section 482 of the Criminal.

8. Accordingly, this Criminal Original Petition is allowed and the criminal proceedings in Cr.Nos.108 of 2021 and 109 of 2021 on the file of the Vaitheeswarankoil Police Station at Mayiladuthurai District, is quashed.

Index : Yes/No
Internet : Yes/No
gv

11.10.2022



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To

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1. The Inspector of Police,
Vaitheeswarankoil Police Station,
Mayiladuthurai District.

2. The Public Prosecutor,
High Court, Madras.



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V.SIVAGNANAM ,J.

gv

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