



Crl.O.P.(MD) No.1767 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2022

CORAM:

THE HONOURABLE **MR.JUSTICE V.SIVAGNANAM**

Crl.O.P.(MD) No.1767 of 2021

Thiruppathi Raja @ Thirupathi Raja
(Wrongly mentioned as Tiruppathi Raja
instead of Thirupath Raja in Crime No.78 of 2020) ... Petitioner

Vs.

1. The Inspector of Police
Melapalayam
Tirunelveli City

2. Vasim AgramRespondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for the records pertaining to the proceedings in Crime No.
78 of 2020 dated 08.03.2020 for the offences under Sections 153(A),
505,505(1)(c) and 506(i) of IPC

For Petitioners	: Mr.S.Velrajan
For Respondents	: Mr.A.Albert James
No.1	Government Advocate(Crl.Side)
No.2	: Mr.S.Vanchinathan



Crl.O.P.(MD) No.1767 of 2021

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ORDER

This Criminal Original Petition has been filed to quash the FIR in 78 of 2020 on the file of the first respondent police

2.The case of the prosecution is that the petitioner has sent whatsapp message to the defacto complainant defaming islamic religious people who are residing in Melapalayam. Further on 08.03.2020 the petitioner threatened the defacto complainant in filthy language.

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

4.A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were



Crl.O.P.(MD) No.1767 of 2021

identified by Mr.Anantha Krishnan, SSI of Police, Melapalayam 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.

5.In the instant case, the dispute is of personal in nature and the parties had compromised. Where the parties have compromised the matter, the High Court has power to quash the complaint for the offence under Sections 153(A),505,505(1)(c) and 506(i) of IPC

6.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.

7.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. 78 of 2020 pending before the first



Crl.O.P.(MD) No.1767 of 2021

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respondent police, even though, the offences involved are not compoundable in nature.

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No. 78 of 2020 on the file of the first respondent police respondent police, is quashed insofar as the petitioner and the terms of joint compromise memo shall form part and parcel of this order.

27.07.2022

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

To

1. The Inspector of Police
Melapalayam
Tirunelveli City
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.



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Crl.O.P.(MD) No.1767 of 2021

V.SIVAGNANAM, J.

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Crl.O.P.(MD) No.1767 of 2021

27.07.2022