



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.8389 of 2022

1. Hari Vignesh

2. Rajasekar

3. Vinothkumar

4. Periyandavar

... Petitioners/Accused

Vs

1. The Sub Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.
(Crime No.85/2022).

...1st Respondent/Complainant

2. I. Sonamuthu

...2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to quash the FIR in Crime No.85 of 2022, on the file of the first respondent police.

For Petitioners : Mr.S.S.Sundrapandian

For Respondents : Mr.A.Albert James (R1)

Government Advocate (Crl.Side)

Mr.A.Karthik (R2)

O R D E R

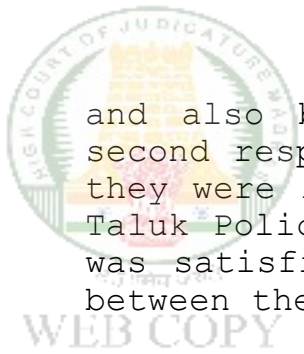
This Criminal Original Petition has been filed to quash the FIR in Crime No.85 of 2022, on the file of the first respondent police.

2.The case of the prosecution is that the second respondent/defacto complainant is the conductor of the bus bearing Reg.TN-58-N-1294 "48 U". On 20.04.2022 at 08.15 a.m, the petitioners were travelled in the said bus. Since the petitioners were hanging on the steps of the bus, the defacto complainant/second respondent shouted them. Due to which, the petitioners grabbed the defacto complainant by the arm and pushed him into the abyss. Hence, the complaint.

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 petitioners and the second respondent

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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 Mr.C.Malaiyan, SSI of Police, Thirumangalam Taluk Police Station. 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 to power to quash the complaint for the offence under Sections 294(b), 323, 332, 506(i) 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.85 of 2022 pending before the first 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.85 of 2022 on the file of the first respondent police, is quashed insofar as the petitioners alone and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar(Cs-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

To

1. The Sub Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



+1 CC to M/s.S.S.SUNDARA PANDIAN, Advocate (SR-25227[F] dated
10/06/2022)

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10.06.2022

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