



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10226 of 2022

1. P.Arun Pandi

2. Pandi

3. P.Allirani

4. P.Priyanka

5. P.Ilakiya

... Petitioners

Vs

1. The Inspector of Police,
Vadipatti Police Station,
Madurai District.
Crime.No. 1783 of 2020.

...1st Respondent/Complainant

2. M.Nanthini

...2nd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to quash the FIR in Crime No.1783 of 2020, dated 05/09/2022 on the file of the first respondent police and quash the same as illegal and par such further or other orders as this Hon'ble Court.

For Petitioners : Mr.R. Srinivasan

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

Government Advocate (Crl.Side)

Mr.S.Ramasundaravijayaraj (R2)

O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No.1783 of 2020, on the file of the first respondent police.

2.The case of the prosecution is that the defacto complainant is the wife of the first petitioner and the petitioners 2 to 5 are the family members of the first petitioner. The first petitioner harassed the defacto complainant, at the instigation of his family members. Due to matrimonial dispute, the defacto complainant consumed insecticide chalk and calotropis gigatea's liquid. 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 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.P.Servai, SSI of Police, Vadipatti 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), 309, 498(A) 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.1783 of 2020 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.1783 of 2020 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()

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

To

1. The Inspector of Police,
Vadipatti Police Station,
Madurai District.



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

+1 CC to M/s.S. RAMSUNDARVIJAYARAJ, Advocate (SR-26226[F] dated
16/06/2022)

+1 CC to M/s.R. SRINIVASAN, Advocate (SR-26303[F] dated
17/06/2022)

CRL.O.P (MD) No.10226 of 2022
16.06.2022

SRR(CO)
KB(30.06.2022) 3P 5C