



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10340 of 2022

1. K.R.Praveen
2. Ramanathan

... Petitioners/Accused 1 & 2

Vs

1. The State Represented by
The Inspector of Police,
All Women Police Station,
Tallakulam,
Madurai District.

(Crime No.15 of 2021) ... 1st Respondent/Complainant

2. Mirunalinie

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to the proceedings in Crime No.15 of 2021 on the file of the first respondent police and quash the same.

For Petitioners	: Mr.K.Muthumalai
For R1	: Mr.E.Anotny Sahaya Prabahar
	Additional Public Prosecutor
For R2	: Mr.V.Karuppiah

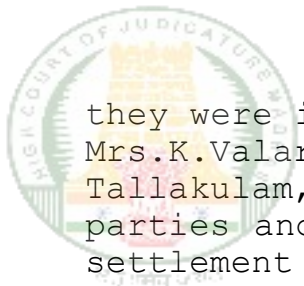
O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No.15 of 2021, on the file of the first respondent police.

2.The case of the prosecution is that on 04.04.2016, the first petitioner got married with the second respondent/defacto complainant. Later, due to the misunderstanding between the couples, they are living separately from the year 2019. Hence, the second respondent has lodged a complaint against the first petitioner. For which, the first respondent registered the FIR in Crime No.15 of 2021 against the first petitioner for the alleged offences under Sections 498 (A) and 406 IPC, which is pending before the first respondent police. 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 the learned Additional Public Prosecutor and Mrs.K.Valarmathi, SSI of Police, All women Police Station, Tallakulam, Madurai District. 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 498 (A) and 406 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.15 of 2021 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.15 of 2021 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)

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/ /2022

Sub Assistant Registrar(CS)

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To

1. The Inspector of Police,
All Women Police Station,
Tallakulam, Madurai District.

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

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KK(CO)

KB(30.06.2022) 2P 3C

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