



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10229 of 2022

WEB COPY

Siranjeevi

... Petitioner/Accused No.1

Vs

1. The State Represented by
The Inspector of Police,
Keelavalavu Police Station,
Madurai District.
(Crime No.285 of 2014)

... 1st Respondent / Complainant

2. Subbaiya

... 2nd Respondent / Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records of FIR in Crime No.285 of 2014 on the file of the first respondent and to quash the same.

For Petitioner : Mr.Santhanam Rajeshkumar B

For R1 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

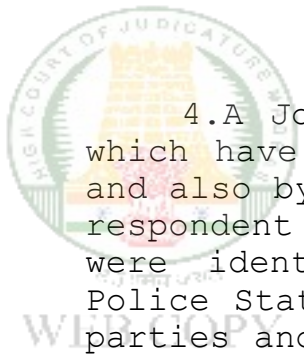
For R2 : Mr.M.Needhi Devan

O R D E R

This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.285 of 2014 of the Inspector of Police, Keelavalavu Police Station, Madurai District.

2.The case of the prosecution is that on 20.10.2014 at about 7.20 p.m the petitioner scolded the defacto complainant through mobile and on the very same day at about 8.00 p.m petitioner and other stopped the defacto complainant vehicle abused him filthy language and attacked with hand and also threatened with dire consequence. Therefore, the de-facto complainant lodged a complaint to the first respondent police, the first respondent registered First Information Report in Crime No.285 of 2014 for the offences punishable under Sections 294(b), 341, 323, 506(ii) of IPC and 109 Indian Penal Code, as against the petitioner.

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 identified by Mr.A.Thamimoon Ansari, H.C.1688, Keelavalavu Police Station, 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 power to quash the complaint for the offence under Sections 294(b), 341, 323, 506(ii) of IPC and 109 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.285 of 2014 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.285 of 2014 on the file of the first respondent police, is quashed insofar as the petitioner alone and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

Encl.: xerox copy of Joint Compromise memo.

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To

1. The Inspector of Police,
Keelavalavu Police Station, Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN

CRL.O.P (MD) No.10229 of 2022

10.06.2022

nsn(CO)

TR(24.06.2022) 2P 3C

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