



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2022

CORAM:

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

Crl.O.P.(MD) No.10637 of 2022

1. Mani @ Theepatti Manikandan,

2. V.Palanivelrajan,

3. Kali @ Tankar Kali,

: Petitioners

Vs

1. State represented by
The Sub Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
Crime.No. 148 of 2022

2. M.Thamilarasan,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records relating to the impugned FIR in Crime No.148 of 2022, on the file of the first respondent and quash the same.

For Petitioner	: M/s. Anbarasu D,
For R1	: Mr.E.Antony Sahaya Prabahar Additional Public Prosecutor
For R2	: Mr.S.Bharathi

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.148 of 2022, for the offence under Sections 294(b), 323, 324, 506(ii) IPC on the file of the first respondent.

2.The case of the prosecution is that the petitioners and the defacto complainant are relatives. On 15.05.2022, a wordy quarrel has been arisen between them. 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 Mrs.B.B.Devi, WHC, Thiruppuvanam 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, 324, 506(ii) 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 No148 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 No148 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 //

/07/2022

Sub Assistant Registrar(CS)

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To

1.The Sub Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.

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

+1 CC to M/s.D. ANBARASU, Advocate (SR-26243[F] dated 16/06/2022)

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SR(CO)

KB(01.07.2022) 2P 4C