



Crl.O.P.(MD) No.10914 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 30.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10914 of 2022

1. Rajasekar

2. Karuppaiah @ Chandru

3. Victor Vijayan

... Petitioners

Vs

1. The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.
Crime No. 270 of 2022.

2. Sathish Kumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to quash the FIR in Crime No.270 of 2022, on the file of the first respondent police.

For Petitioners : Mr.T. Lenin Kumar

For Respondents : Mr.A.Albert James (R1)
Government Advocate (Crl.Side)
Mr.D.Venkatesh (R2)



Crl.O.P.(MD) No.10914 of 2022

ORDER

WEB COPY

This Criminal Original Petition has been filed to quash the FIR in Crime No.270 of 2022, on the file of the first respondent police.

2.The case of the prosecution is that on 12.05.2022 at about 10PM, when the second respondent along with one Karthikeyan and Hariharan was having dinner, the petitioners pulled them up for quarrel. At that time the petitioners assaulted the second respondent and took away 10 sovereigns of gold ornament worn by him. 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



Crl.O.P.(MD) No.10914 of 2022

Mr.A.Veeramuthu, SI of Police, Aranthangi 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), 324, 506(i) & 379 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.270 of 2022 pending before the first respondent police, even though, the offences involved are not compoundable in nature.



Crl.O.P.(MD) No.10914 of 2022

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.270 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.

30.06.2022

Internet: Yes./No

Index: Yes/no

PNM

To

1. The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.
Crime No. 270 of 2022.

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

V.SIVAGNANAM, J.

PNM



WEB COPY



Crl.O.P.(MD) No.10914 of 2022

ORDER IN
CRL.O.P (MD) No.10914 of 2022

30.06.2022