



CRL.O.P (MD) No.10973 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2022

CORAM

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

CRL.O.P (MD) No.10973 of 2022

1.M.Dinesh @ Alaguraja  
2.Velmurugan

... Petitioners/Accused Nos.1 & 2

Vs.

1.The State rep. by  
The Sub Inspector of Police,  
Rayappanpatti Police Station,  
Rayappanpatti Post,  
Theni District.  
(Cr.No.108 of 2022)

...1<sup>st</sup> Respondent/Complainant

2.Thavamani

... 2<sup>nd</sup> Respondent/Defacto Complainant

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records pertaining to the case in Information Report in Crime No.108 of 2022 on the file of the first respondent police and quash the same.

For Petitioners : Mr.M.Karuppasamy Pandian

For R1 : Mr.M.Sakthikumar  
Government Advocate (Crl.Side)

For R2 : Mr.K.Neelamegam



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## **ORDER**

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This Criminal Original Petition has been filed to quash the FIR in Crime No.108 of 2022, on the file of the first respondent police.

2.The case of the prosecution is that on 17.04.2022 at about 1.00 p.m. the second respondent/defacto complainant was standing in the first floor of his house, the petitioners were looking the ground floor of the defacto complainant house. When the defacto complainant questioned them, a wordy quarrel arose between both the parties and the petitioners have abused and attacked the defacto complainant and caused injuries and also threatened him with dire consequences. 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



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were also present in person before this Court and they were identified by Mr.K.Ramalingam, SI of Police, Rayappanpatti Police Station, Theni 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 294(b), 324, 506(ii) 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.108 of 2022 pending before the first respondent police, even though, the offences involved are not compoundable in nature.



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8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.108 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.

21.06.2022

Internet: Yes./No  
Index: Yes/no  
vsd

To

1. The Sub Inspector of Police,  
Rayappanpatti Police Station,  
Rayappanpatti Post,  
Theni District.  
(Cr.No.108 of 2022)
2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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V.SIVAGNANAM, J.

vsd

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