



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10684 of 2022

1. Dhilipan

2. Muthulakshmi

3. Thalapathi Raja ... Petitioners/Accused Nos.1,2 & 3

Vs

1. The Inspector of Police,
Nagamalai Pudukkottai Police Station,
Madurai District.

Crime No.2305 of 2020. ... 1st Respondent / Complainant

2. K.Palpandi ... 2nd Respondent / Defacto complainant

3. M.Annalakshmi ... 3rd Respondent / Victim

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to quash the FIR in Crime No.2305 of 2020, on the file of the first respondent police.

For Petitioners : Mr.R.J.Karthick

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

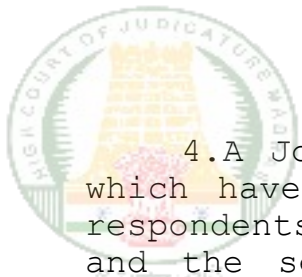
Mr.L.Subramanian Kishore (R2&R3)

O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No.2305 of 2020, on the file of the first respondent police.

2.The case of the prosecution is that on 22.10.2020 at about 02.00PM, the cow of the petitioners came into the house of the second respondent/defacto complainant and ate the food. On seeing that, the third respondent, who is the wife of the second respondent, beaten the cow. It was questioned by the first petitioner and all the petitioners/accused were abused and assaulted the third respondent. Due to mental agony, the third respondent attempted to commit suicide. 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 & third respondents and also by their respective counsel. The petitioners and the second & third respondents were also present in person before this Court and they were identified by Mr.M.Ashokkumar, SSI of Police, Nagamalai Pudukottai 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, 506(i) IPC and Under Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

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 Gujra*** 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. 2305 of 2020 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.2305 of 2020 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 //

/06/2022

Sub Assistant Registrar(CS)

PNM

Encl.: xerox copy of Joint Compromise memo.

To

1. The Inspector of Police,
Nagamalai Pudukkottai Police Station,
Madurai District.



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

+1 CC to M/s.R.J. KARTHICK, Advocate (SR-26314[F] dated
17/06/2022)

ORDER IN
CRL.O.P (MD) No.10684 of 2022
16.06.2022

nsn(CO)
TR(27.06.2022) 3P 4C