



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 17.06.2022**

**CORAM**

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

**CRL.O.P (MD) No.10789 of 2022**

1. Subash Pandian

2. Anand @ Ananda Pandian

... Petitioners/Accused No. 1 & 2  
Vs

1. State Rep. by  
The Inspector of Police,  
Batlagundu Police Station,  
Dindigul District.

Crime.No.1360 of 2020.

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

2. Chandrasekaran

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

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C, praying to quash the FIR in Crime.No. 1360 of 2020 pending on the file of the first respondent police.

For Petitioners : Mr.A. Karthik

For Respondents : Mr.M.Sakthi Kumar (R1)

Government Advocate (Crl.Side)

Mr.S.Vidhyasagar (R2)

### **O R D E R**

This Criminal Original Petition has been filed to quash the FIR in Crime No.1360 of 2020, on the file of the first respondent police.

2.The case of the prosecution is that the first petitioner and the defacto complainant's daughter are husband and wife. Due to matrimonial dispute, the defacto complainant's daughter left her matrimonial home and lived with him. On 11.10.2020 at about 08.30PM, the accused persons went to the defacto complainant's house, scolded him with filthy language and also assaulted him and his family members with iron rod. 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 Mr.P.Chellamuthu, SSI of Police, Batlagundu 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 448, 294(b), 323, 324, 506(ii) IPC and 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 Gujrat*** 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.1360 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.1360 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(T&P)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

PNM

To

1. The Inspector of Police,  
Batlagundu Police Station,  
Dindigul District.  
Crime.No.1360 of 2020.

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



+1 CC to M/s.A. KARTHIK, Advocate ( SR-26871[F] dated 20/06/2022 )

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