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CRL.O.P (MD) No.11393 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.11393 of 2022

Christopher Raja

... Petitioner/Accused No.1

Vs.

1.State through
The Inspector of Police,
Vaiyampatty Police Station,
Tiruchirappalli District.
(Cr.No.191 of 2022)

2.Vadivel

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records pertaining to the First Information Report in Crime No.191 of 2022 dated 27.05.2022 on the file of the first respondent No.1 for the offences under Sections 294(b), 506(ii) of IPC and Section 3(1) (r), 3(1)(s), 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment Act 2015 and quash the same as illegal as against the petitioner alone.

For Petitioner : Mr.R.Anandharaj

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

For R2 : Mr.S.Ramasamy



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ORDER

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This Criminal Original Petition has been filed to quash the FIR in Crime No.191 of 2022, on the file of the first respondent police.

2.The defacto complainant is a Assistant Professor in RVS College, Dindigul. On the date of occurrence, when the defacto complainant was returning back to his home, one Raja S/o. Kattasu, along with other unknown accused have parked their vehicle in the road and when it was questioned by the defacto complainant, they criminally intimidated them and later they went to the defacto complainant's house and scolded his with filthy language and caste name. 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 petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent



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were also present in person before this Court and they were identified by Ms.C.A.Dhanalakshmi, Women Constable, Vaiyampatty Police Station, Tiruchirappalli 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), 506(ii) IPC and Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment Act 2015.

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



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proceedings in Crime No.191 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 No.191 of 2022 on the file of the first respondent police, is quashed insofar as the petitioner alone and the terms of joint compromise memo shall form part and parcel of this order.

28.06.2022

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

To

1. The Inspector of Police,
Vaiyampatty Police Station,
Tiruchirappalli District.
(Cr.No.191 of 2022)
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

vsd

ORDER IN
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