



Crl.O.P.(MD) No.11274 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.11274 of 2022

1. Kannan
2. Raja
3. Mayalagan

... Petitioners/ Accused No. 1 to 3
Vs

- 1.The State represented by
The Inspector of Police,
Vadipatty Police Station,
Madurai District.
(Crime No.171 of 2022)

... 1st Respondent/Complainant

2. Balaji

... 2nd Respondent/ Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records and quash the FIR in Crime No.171 of 2022, on the file of the first respondent police as far as these petitioners are concerned.

For Petitioners	: Mr.Senthil Murugan
For R1	: Mr.M.Sakthi Kumar
	Government Advocate (Crl Side)
For R2	: Mr.R.Shenbagaraj



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ORDER

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This Criminal Original Petition has been filed to quash the FIR in Crime No.171 of 2022, on the file of the first respondent police.

2.The case of the prosecution is that, the defacto complainant is working as Supervisor in a Chicken poultry running in the name of Super Chicken. On 24.05.2022 his company driver has transported chicken from Palladam to Thethur Village, when they reached Thethur Chicken Poultry, these petitioners and 20 others have waylaid the vehicle and thereby caused intimidation and abused the Defacto Complainant with filthy language and threatened with dire consequences. Hence, he lodged a complaint before the respondent police and the same was registered in Crime No.171 of 2022 for the offences under Sections 147, 341, 294(b) and 506(i) of IPC.

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.



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4. The learned counsel for the petitioners, the learned Government Advocate and the learned counsel for the second respondent submitted that now, the petitioners and the second respondent compromised the matter and settled the dispute out of the Court and to that effect they have been filed a Joint Memo of Compromise 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 the learned Government Advocate (Crl.Side) and Mr.V.Udayakumar, SSI - III, Vadipatti Police Station, Madurai 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 147, 341, 294(b) and 506(i) of IPC.



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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.171 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.171 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.

27.06.2022

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

- 1.The Inspector of Police,
Vadipatty Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

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