



Crl.O.P.(MD) No.11562 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2022

CORAM:

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

Crl.O.P.(MD) No.11562 of 2022

1. Dhayasingh,

2. Nirmal,

3. Priya @ Jini Priya,

: Petitioners

Vs

1. State represented by
The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.

2. Jenisha Singh,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying
this Court to call for the records and quash the FIR in Crime No. 876 of
2020.

For Petitioner	: M/s.Kannappan A R,
For R1	: Mr.A.Albert James, Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed to quash the FIR in crime No.876 of 2020, on the file of the first respondent.

2.The case of the prosecution is that due to previous enmity, the petitioners trespassed into the second respondent house, abused with filthy language, assaulted her and also threatened her 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 were also present in person before this Court and they were identified by Mr.T.Rajam Stanly, SSI of Police, Thuckalay Police Station as well as by the learned Counsels appearing for the parties. This Court also enquired both the parties



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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 427, 447, 452, 294(b), 323, 324, 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2022.

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.876 of 2020 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.876 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.

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Internet: Yes
Index: Yes/No
Speaking/Non speaking order
lr



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V.SIVAGNANAM, J.

lr

To

1.The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.

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

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