



**Crl.O.P.(MD) No.11796 of 2022**

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

**DATED: 01.07.2022**

**CORAM**

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

**CRL.O.P (MD) No.11796 of 2022**

1. Arumugam,

2. Nambi Rajan,

: Petitioners

**Vs**

1. The State represented by  
The Inspector of Police,  
Veeravanallur Police Station,  
Tirunelveli District  
(Crime No. 434 of 2021).

2. Narayanan,

: Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records in pursuant to FIR in Crime No. 434 of 2021 on the file of the Inspector of Police, Veeravanallur Police Station, Tirunelveli District and quash the same.



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For Petitioners : M/s.Sathya Chidambaram S,  
For R1 : Mr.M.Sakthi Kumar,  
Government Advocate (Crl.Side)  
For R2 : Mr.B.Santhanam Rajeshkumar

### **ORDER**

This Criminal Original Petition has been filed to quash the FIR in Crime No. 434 of 2021 on the file of the Inspector of Police, Veeravanallur Police Station, Tirunelveli District.

2.The case of the prosecution is that due to money dispute, the petitioners abused the defacto complainant and threatened him with dire consequences and also tried to attack with deadly weapon. 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.



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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.L.Arockia Sahayam, HC of Police, Veeravanallur Police Station, Tirunelveli 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), 307 and 506(ii) IPC.

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.



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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.434 of 2021 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.434 of 2021 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.

**01.07.2022**

Internet:Yes./No

Index:Yes/no

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To

1.The Inspector of Police,  
Veeravanallur Police Station,  
Tirunelveli District

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

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**V.SIVAGNANAM, J.**

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ORDER IN  
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