



Crl.O.P.(MD) No.12235 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:07.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.12235 of 2022

1.Vignesh

2.Sivaramakaruppu

3.Ajith

4.Vikkiraman

... Petitioners

Vs

1.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

2.Ajithkumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records pertaining to the proceedings in Crime No. 473 of 2021 on the file of the first respondent Police and quash the same.



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For Petitioners : Mr.R.Balamuruganantham

For 1st Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

For 2nd Respondent : No appearance

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.473 of 2021 on the file of the first respondent Police.

2.The case of the prosecution is that on 14.09.2021, the defacto complainant returned home after his works, at that time, the petitioners said to have threatened the defacto complainant and robbed Rs.1,000/- from his shirt pocket by showing knife. 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.Jahangir, SSI of Police, Manamadurai 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 392 and 506(ii) of 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.473 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.473 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.

07.07.2022

Internet:Yes./No

Index:Yes/no

vsg



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WEB COPY

To

- 1.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

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



WEB COPY



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V.SIVAGNANAM, J.

vsg

ORDER IN
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