



Crl.O.P.(MD) No.12505 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

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Viveganandakumaran

...Petitioner/Sole Accused

Vs.

1.State Rep. by

The Inspector of Police,
All Women Police Station,
Dindigul,
Dindigul District.
(In Crime No.4 of 2020)

...1st Respondent

2.Lalitha

...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for records in C.C.No.112 of 2020 on the file of the
Additional Mahila Court, Dindigul and to quash the same.

For petitioner	: Mr.S.Senthil Sankara Nathakumar
For R1	: Mr.M.Sakthikumar Government Advocate (Crl.side)
For R2	: Mr.N.Mariappan

ORDER

The Criminal Original Petition has been filed to quash the Charge
Sheet in C.C.No.112 of 2020 pending on the file of the Additional



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Mahila Court, Dindigul, Dindigul District, for the offences punishable under Sections 294(b), 452 and 506(i) of IPC and Section 4 of TNPHW Act.

2.The case of the prosecution is that the petitioner and the defacto complainant are relatives. The defacto complainant's daughter married the petitioner/accused on 22.06.2008 and due to some difference of opinion both lived separately, in which, on 01.02.2020, the petitioner came to the defacto complainant's house and threatened the defacto complainant with dire consequences. Hence, a case has been registered against the petitioner in Crime No.4 of 2020 for the offence under Sections 294(b), 452 and 506(i) IPC and Section 4 of TNPHW Act and final report has also been filed in C.C.No.112 of 2020 before the Additional Mahila Court, Dindigul.

3.The case is under trial. 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 petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by Ms.Aruna Ushanathini, SSI of Police, All Women Police Station, Dindigul, Dindigul District as well as by the learned Counsels appearing for the parties. 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), 452 and 506(i) IPC and Section 4 of TNPHW Act.

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



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(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 C.C.No.112 of 2020 pending before the Additional Mahila Court, Dindigul, 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 C.C.No.112 of 2020, on the file of the Additional Mahila Court, Dindigul, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

12.07.2022

Internet:Yes
Index:Yes/No
vsd



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- 1.The Additional Mahila Court,
Dindigul.
- 2.The Inspector of Police,
All Women Police Station,
Dindigul,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

vsd

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