



Crl.O.P.(MD) No.12577 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2022

CORAM:

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

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- 1.Arun
- 2.Santhakumar
- 3.Stalin @ Murali Stalin
- 4.Vivek
- 5.Manoharan
- 6.Ravindran

...Petitioners

Vs.

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

2.S.M.Durai

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to quash the impugned proceedings in PRC.No.38 of 2020 pending on the file of the Judicial Magistrate Court, Valliyoor, Tirunelveli District as against the petitioners.



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For Petitioner : Mr. M.Karuppasamy

For 1st respondent : Mr.E.Antony Sahaya Prabhkara
Additional Public Prosecutor

For 2nd respondent : Mr. T. Ramar

ORDER

The Criminal Original Petition has been filed to quash impugned proceedings in PRC.No.38 of 2020 pending on the file of the Judicial Magistrate Court, Valliyoor, Tirunelveli District as against the petitioners.

2.The case of the prosecution is that on 31.05.2017 at about 6.00 pm during the temple festival the petitioners said to have attacked the defacto complainant and caused criminal intimidation and also broken the tube lights and mike and caused damage worth about Rs.1,220/-.

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.

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



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their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.M.Ravikumar, Panagudi Police Station 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 147, 294(b), 323, 506(ii) IPC and Section 3 of TNPPDL 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 **(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



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proceedings in PRC.No.38 of 2020 pending on the file of the Judicial Magistrate Court, Valliyoor, Tirunelveli District, 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 PRC.No.38 of 2020 pending on the file of the Judicial Magistrate Court, Valliyoor, Tirunelveli District is quashed and the terms of joint compromise memo shall form part and parcel of this order.

13.07.2022

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

To

1.The Inspector of Police,
Panagudi 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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