



Crl.O.P.(MD) No.13044 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 21.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.13044 of 2022

1.Jeganathan

2.Nagaraj

3.Sabarinathan

... Petitioners

Vs

1.The Inspector of Police,
Kottampatty Police Station,
Madurai District.

2.Paulchamy

3.Selvam

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the entire records in relating to the FIR in Crime No.232 of 2021 on the file of the first respondent and quash the same as against the petitioners.

For Petitioners : Mr.S.Vijayakumar

For 1stRespondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

For 2nd Respondent: Mr.R.Aravind Raj



WEB COPY



Crl.O.P.(MD) No.13044 of 2022

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.232 of 2021 on the file of the first respondent as against the petitioners.

2.The case of the prosecution is that on 20.08.2021, at about 07.00 a.m, the petitioners said to have attacked the defacto complainant's son with hands and they sustained injury. Hence, the present 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



Crl.O.P.(MD) No.13044 of 2022

Mr.C.Mani Maran, SSI of Police, Kottampatty 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, 148, 294(b), 323 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.

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.232 of 2021 pending before the first respondent police, even though, the offences involved are not compoundable in nature.



Crl.O.P.(MD) No.13044 of 2022

WEB COPY

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.232 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.

21.07.2022

Internet: Yes./No

Index: Yes/no

vsg



Crl.O.P.(MD) No.13044 of 2022

WEB COPY

To

- 1.The Inspector of Police,
Kottampatty Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD) No.13044 of 2022

V.SIVAGNANAM, J.

vsg

ORDER IN
CRL.O.P (MD) No.13044 of 2022

21.07.2022