



Crl.O.P.(MD) No.13439 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.(MD) No.13439 of 2022
and Crl.M.P(MD) No.8556 of 2022

1. Murugan
- 2.Sankar @ Sankar Thas
3. Valarmathi
4. Sumathi
5. Nirmala
- 6.Stalin
- 7.Murugan @Murugeswaran
- 8.Singadurai
- 9.Boomi @ Boominathan

... Petitioners

Vs.

1. The Inspector of Police
Ramanathapuram Town Police Station
Ramanathapuram District

2. Manikandan

....Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for the records relating to the impugned charge sheet in



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CC No.52 of 2022 on the file of the learned Judicial Magistrate No.I,
Ramanathapuram and to quash the same.

For Petitioners : Mr.M.S.Jeyakarthik
For Respondents : Mr.A.Albert James
No.1 Government Advocate(Crl.Side)
No.2 : Mr.V.Kabilan

ORDER

The Criminal Original Petition has been filed to quash the Charge Sheet in CC No.52 of 2022 on the file of the learned Judicial Magistrate No.I, Ramanathapuram, for the offences punishable under Sections 147,323 and 427 of IPC , in Crime No.173 of 2021.

2.The case of the prosecution is that the defacto complainant's brother and one Durga Devi loved each other and they got marriage and appeared before the Superintendent of Police, Ramanathapuram District. and they were asked to report before the All Women Police Station, Ramanathapuram. When they went to the All women Police Station, Ramanathapuram, the relatives of Durga Devi came to the above station



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and attacked the defacto complainant and also caused damage to the car of the relative of the defato complainant. After completion of investigation, filed final report before the learned Judicial Magistrate No.I, Ramanathapuram and the same has been taken cognizance in CC No.52 of 2022

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 their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mrs. K.Sakthi, WHC 1516, B1 Town 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.



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5. In the instant case, the case is love affair 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 147,323 and 427 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 CC No.52 of 2022 on the file of the learned Judicial Magistrate No.I, Ramanathapuram , even though, the offences involved are not compoundable in nature.



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8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in CC No.52 of 2022 on the file of the learned Judicial Magistrate No.I, Ramanathapuram is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently connected miscellaneous petition is also closed.

04.08.2022

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

To

1. The Judicial Magistrate No.I, Ramanathapuram
2. The Inspector of Police
Ramanathapuram Town Police Station
Ramanathapuram District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.



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V.SIVAGNANAM, J.

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