



Crl.O.P.(MD) No.13491 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.13491 of 2022
and Crl.M.P(MD) No.8574 of 2022

1.V.Rajkumar
2.Uthirapathi
3.A.Karthick
4.K.Surya
5.J.Siva

... Petitioners

Vs.

1. The Inspector of Police
Adiramapattinam Police Station
Pattukottai Taluk
Thanjavur District

2.T.Ramamoorthy

....Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for the records pertaining to the FIR in Crime No.132 of
2018 on the file of the first respondent and quash the same as illegal.

For Petitioners	: Mr.K.Prabhu
For Respondents	: Mr.A.Albert James
No.1	Government Advocate(Crl.Side)
No.2	: Mr.K.Mahendran



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ORDER

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This Criminal Original Petition has been filed to quash the FIR in 132 of 2018 on the file of the first respondent police

2.The case of the prosecution is that there previous enmity on 14.06.2018 at about 09.45 am., the petitioners herein intercepted the defacto complainant abused him, attacked him deadly weapons and also criminally intimidated him, hence the case came to be registered.

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 Mrs.A.Kumariselin, WSSI-2189, Adiramapattinam Police



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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 counter case has also been registered and now parties had compromised. Where the parties have compromised the matter, the High Court has power to quash the complaint for the offence under Sections 147,148,294(b),352 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. 132 of 2018 pending before the first



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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.132 of 2018 on the file of the first respondent police respondent police, is quashed insofar as the petitioners alone and the terms of joint compromise memo shall form part and parcel of this order. Consequently connected miscellaneous petition is closed.

04.08.2022

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

To

1. The Inspector of Police
Adiramapattinam Police Station
Pattukottai Taluk
Thanjavur District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.

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V.SIVAGNANAM, J.

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