



**Crl.O.P.(MD) No.13664 of 2022**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 10.08.2022**

**CORAM**

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

**CRL.O.P (MD) No.13664 of 2022**

1. Shanmugam,

2. Sudharsan,

: Petitioners

**Vs**

1. State represented by  
The Inspector of Police,  
Karur Police Station,  
Pudukkottai District.  
Crime.No.29 of 2022.

2. Balasubramanian,

3. Jothilakhshmi,

: Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to the Crime No.29 of 2022 dt 16/06/2022 on the file of the first respondent police and to quash the same in so far as the petitioners are concerned.



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For Petitioners : M/s Saravanan.N,  
For R1 : Mr.M.Sakthi Kumar,  
Government Advocate (Crl.Side)  
For R2 and R3 : Mr. S.Sathya Chidambaran

### **ORDER**

This Criminal Original Petition has been filed to quash the FIR in Crime No.29 of 2022, on the file of the first respondent.

2.The case of the prosecution is that due to civil dispute, the petitioners abused the private respondent with filthy language. Hence the 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 respondents 2 and 3 and



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also by their respective counsel. The petitioners and respondents 2 and 3 were also present in person before this Court and they were identified by Mr.C.A.Selvakumar Gr-II, Police Constable, Karur 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 civil 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), 323, 324 and 506(2) 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



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proceedings in Crime No. 29 of 2022 pending before the first 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. 29 of 2022 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.

**10.08.2022  
(1/2)**

Internet: Yes./No

Index: Yes/no

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**Note: Issue Order copy on 11.08.2022**

To

1. The Inspector of Police,  
Karur Police Station,  
Pudukkottai District.

2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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**V.SIVAGNANAM, J.**

lr

ORDER IN  
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