



Crl.O.P.(MD) No.14152 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:10.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

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1. Nithyakalyani
2. Sankarapandi
3. Mariammal
4. Veeralakshmi
5. Moorthi
6. Muppidathi
7. Murugavalli
8. Vanaja
9. Muppudathiyammal @ Muppudathi
10. Karthick
11. Arulraj @ Arul
12. Karuppasamy
13. Jeya
14. Poosaipandi
15. Santhi

... Petitioners

Vs.

1. The Inspector of Police
Alangulam Police Station,
Alangulam, Tenkasi District

2. Muthu

....Respondents



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PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records pertaining to the FIR in Crime No.248 of 2022 on the file of the first respondent and quash the same.

For Petitioners : Mr.Pragalathan
For Respondents : Mr.Sakthi Kumar
No.1 Government Advocate(Crl.Side)
No.2 : Mr.K.Muthurakkan

ORDER

This Criminal Original Petition has been filed to quash the FIR in 248 of 2022 on the file of the first respondent police

2.The case of the prosecution is that due to previous enmity on 07.07.2022 at about 9.30 pm., the petitioners herein entered into the house and damaged the water tap, plastic top, water drum and other and also abused the threatened the defacto complainant, 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.



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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 Mr.C.Thangadurai, HC 679, Alangulam 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 complainant is the daughter-in-law of the petitioners and they have settled out of court now the parties had compromised. Where the parties have compromised the matter, the High Court has power to quash the complaint for the offence under Sections 147,148,341,294(b),427,352 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



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(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. 248 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.248 of 2022 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.

10.08.2022

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



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To
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1. The Inspector of Police
Alangulam Police Station,
Alangulam, Tenkasi District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.



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V.SIVAGNANAM, J.

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