



Crl.O.P.(MD) No.14173 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.14173 of 2022

Subash

... Petitioner

Vs.

1. The Inspector of Police
Souththamaraikulam Police Station
Kanyakumari District

2.Vasudevan

....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. 73 of
2022 on the file of the first respondent police and quash the same in
respect of the petitioner alone.

For Petitioner	: Mr.V.Malaiyendran
For Respondents	: Mr.A.Albert James
No.1	Government Advocate(Crl.Side)
No.2	: Mr.A.Palkani



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identified by Mr.Jeyachandran,HC 1952 Soththamaraikulam 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 counter case has also been registered and 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 294(b), 323,506(i) 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.



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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. 73 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.73 of 2022 on the file of the first respondent police respondent police, is quashed insofar as the petitioner and the terms of joint compromise memo shall form part and parcel of this order.

04.08.2022

Internet:Yes

Index:Yes/No

Speaking/Non speaking order

aav

To

1. The Inspector of Police
Souththamaraikulam Police Station
Kanyakumari District

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

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V.SIVAGNANAM, J.

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