



*CrI.O.P.(MD) No.14388 of 2022*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2022

CORAM:

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

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A.L.Suresh,

: Petitioner

Vs

1. The State represented by  
The Inspector of Police,  
Pappanadu Police Station,  
Thanjavur District  
(Crime No. 205 of 2012).

2. Arjunan @ Arjunan Onthiriyar,

: Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 Cr.P.C.  
praying to call for the records pertaining to the case in C.C. No. 325 of  
2014, on the file of the District Munisif cum Judicial Magistrate,  
Orathanadu, Thanjavur District may be quashed the same as against the  
petitioner.



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For petitioner : M/s.Pitchai Muthu.M.,  
For R1 : Mr.A.Albert James,  
Government Advocate (Crl.Side)  
For R2 : Mr.P.Maharajan

### **ORDER**

The Criminal Original Petition has been filed to quash the Charge Sheet in C.C. No. 325 of 2014, on the file of the District Munisif cum Judicial Magistrate, Orathanadu, Thanjavur District, for the offences punishable under Sections 279, 294(b), 352 and 506(1) IPC, in Crime No.205 of 2012.

2.The case of the prosecution is that the accused persons, using their car hit the second respondent's two wheeler, then, they abused him with filthy language and also threatened him with dire consequences. Hence the complaint.



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3.The learned Counsel appearing for the petitioner submitted that the first accused is in abroad and the second accused is present before this Court. The complainant is ready to compromise with both the accused persons.

4.The case is under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

5. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by MrM.Prasath, Gr-II Police Constable, Pappanadu 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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6. In the instant case, the dispute is of personal 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 279, 294(b), 352 and 506(1) IPC.

7. 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 Guj Rath** reported in **(2017)9 SCC 641** were taken into consideration.

8. 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 C.C. No. 325 of 2014, on the file of the District Munisif cum Judicial Magistrate, Orathanadu, Thanjavur District even though, the offences involved are not compoundable in nature.

9. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C. No. 325 of 2014, on the file of the



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District Munisif cum Judicial Magistrate, Orathanadu, Thanjavur District  
is quashed and the terms of joint compromise memo shall form part and  
parcel of this order.

**12.08.2022**

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

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



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**V.SIVAGNANAM, J.**

lr

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