



Crl.O.P.(MD) No.15364 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:29.08.2022

CORAM:

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

Crl.O.P.(MD) No.15364 of 2022

1. Vinoth @ Vinothkumar
2. Velusamy
3. Pandimeena
4. Ranjitham

... Petitioners

Vs.

1. The Deputy Superintendent of Police
Manapaparai Sub Division
Trichy District
2. The Inspector of Police
Vaiyampatti Police Station
Trichy

- 3.Muthulakshmi

....Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for the records relating to the FIR in Crime No.246 of
2022 on the file of the first respondent and quash the same so far as the
petitioners are concerned.



Crl.O.P.(MD) No.15364 of 2022

For Petitioners : Ms.V.Bharkavi
For Respondents : Mr.Albert James
No.1 and 2 : Government Advocate(Crl.Side)
No.3 : Mr.R.Muthukumar

ORDER

This Criminal Original Petition has been filed to quash the FIR in 246 of 2022 on the file of the first respondent police

2.The case of the prosecution is that on 19.07.2022 at the time of Manjal Neerattu the first petitioner and five others said to have thrown rice in front of the house of the defacto complainant and it spread in her house. When the defacto complainant asked to clean the same, the first petitioner and five others cleaned it and gone from that place. Thereafter at about 5.00 pm., the petitioners herein and other accused persons came and quarrelled with her. At that time, the fourth petitioner said to have abused her by stating her caste name and when the same was questioned by her husband, the first petitioner and other said to have attacked her, her husband and sister with bricks and wooden logs and thereby they



Crl.O.P.(MD) No.15364 of 2022

sustained injuries. Further the accused persons said to have damaged the speaker of her husband, 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 third respondent and also by their respective counsel. The petitioners and the third respondent were also present in person before this Court and they were identified by Mr.T.Thangadurai, PC.764, Vaiyampatti 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 between the husband and wife and now the parties had compromised. Where the parties have



Crl.O.P.(MD) No.15364 of 2022

compromised the matter, the High Court has the power to quash the complaint for the offence under Sections 147,148,323,336,427, 506(i) of IPC and Sections 3(1)(R),3(2)(va) of SC/ST(POA) ACt, 2015.

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 Gujraath*** 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. 246 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.246 of 2022 on the file of the first respondent police respondent police, is quashed insofar as the



Crl.O.P.(MD) No.15364 of 2022

petitioners alone and the terms of joint compromise memo shall form part and parcel of this order.

29.08.2022

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

To

1. The Deputy Superintendent of Police
Manapaparai Sub Division
Trichy District
2. The Inspector of Police
Vaiyampatti Police Station
Trichy
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.



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Crl.O.P.(MD) No.15364 of 2022

V.SIVAGNANAM, J.

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Crl.O.P.(MD) No.15364 of 2022

29.08.2022