



Crl.O.P.(MD) No.14577 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.14577 of 2022

1. Mohamed Meeran,

2. Sabeeq Rahman,

: Petitioners

Vs

1.State represented by
The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
Crime No.147 of 2022

2. Mohamed Mustaq,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records pertaining to Crime No.147 of 2022 dated 18.02.2022, on the file of the Inspector of Police, Kenikkarai Police Station, Ramanathapuram District and quash the same.



Crl.O.P.(MD) No.14577 of 2022

For Petitioners : M/s.Seenisulthan M,
For R1 : Mr.A.Albert James,
Government Advocate (Crl.Side)
For R2 : Mr.J.Mohamed Ibrahim

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.147 of 2022 dated 18.02.2022, on the file of the Inspector of Police, Kenikkarai Police Station, Ramanathapuram District.

2.The case of the prosecution is that the first petitioner shown some indication to the second respondent's cousin sister by shacking his hand. Therefore, there was a quarrel between the second respondent and the petitioners. 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.



CrI.O.P.(MD) No.14577 of 2022

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.Madhavan, SSI of Police, Kenikkarai Police Station, Ramanathapuram 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 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 and 506(i) 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.



Crl.O.P.(MD) No.14577 of 2022

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. 147 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. 147 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.

12.08.2022

Internet: Yes./No

Index: Yes/no

lr

To

1.The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.

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

4/5



WEB COPY



Crl.O.P.(MD) No.14577 of 2022

V.SIVAGNANAM, J.

lr

ORDER IN
CRL.O.P (MD) No.14577 of 2022

12.08.2022