



WEB COPY



**Crl.O.P.(MD) No.14702 of 2022**

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.08.2022

CORAM

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

**CRL.O.P (MD) No.14702 of 2022**

1. Selvakumar,

2. Daniyal Krishtober,

: Petitioners

Vs

1. State represented through  
The Inspector of Police,  
Alanganallur Police Station,  
Madurai District.  
(In Crime No.85/2021)

2. Navaneethan,

: Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the entire records connected to the impugned FIR in Crime No.85/2021 pending on the file of first respondent police and quash the same.



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For Petitioners : M/s.Gopala Krishnan T,  
For R1 : Mr.A.Albert James,  
Government Advocate (Crl.Side)  
For R2 : Mr.R.Karunanidhi

### **ORDER**

This Criminal Original Petition has been filed to quash the FIR in Crime No.85/2021 pending on the file of first respondent.

2.The case of the prosecution is that due to previous enmity, there was a wordy quarrel between the second respondent and the petitioners. The petitioners assaulted him and also abused with filthy languages. 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.

4.A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the second respondent and



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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.A.Chinnasamy, SSI of Police, Alanganallur 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 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), 324, 307, 506(2) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

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.85 of 2021 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.85 of 2021 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.

**17.08.2022**

Internet:Yes./No

Index:Yes/no

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To

1.The Inspector of Police,  
Alanganallur Police Station,  
Madurai District.

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

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**V.SIVAGNANAM, J.**

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ORDER IN  
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