



Crl.O.P.(MD) No.15298 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

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1. A.Ravi @ Ravichandran
 2. A.Venkatraman
 3. R.Marirajan
 4. B.Vekramreddy
 5. G.Venkatesulu
 6. C.Sivakumar
- ...Petitioners/A-1 to 3 & A-5 to A-7

vs.

1. The State through the
Inspector of Police,
Virudhunagar Rural Police Station,
Virudhunagar District.
in Crime No.105 of 2021
 2. S. Manikandan
- ...1st respondent/Complainant
- ...2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for the records in Crime No.105 of 2021 on the file of the
1st respondent police and to quash the same as against the petitioners.



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For Petitioners : Mr.P.Balamurugan
For R-1 : Mr.Albert James
Government Advocate (crl. side)
For R-2 : Mr.Jegadeesh Pandian

ORDER

The Criminal Original Petition has been filed to quash the Crime No.105 of 2021 on the file of the 1st respondent police as against the petitioners, for the offences punishable under Sections 120(b), 406, 420, 294(b) and 506(ii) of IPC.

2. The case of the prosecution is that due to money dispute between the parties, A-3 along with two persons have made life threat to the defacto complainant with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the matter was settled out of Court and compromised the matter and do not want to proceed the matter further, as against the petitioners.



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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 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 to power to quash the complaint for the offence under Sections 120(b), 406, 420, 294(b) and 506(ii) 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.105 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.105 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.

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Internet:Yes
Index:Yes/No
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To

1. The Inspector of Police,
Virudhunagar Rural Police Station,
Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.
Madurai.



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V.SIVAGNANAM, J.

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