



Crl.O.P.(MD) No.15510 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.08.2022

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THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.15510 of 2022

Mahendran

... Petitioner/ Sole Accused

Vs

1. The State Represented Through
The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District – 630 610
(Crime No.233 of 2020)

... 1st Respondent/Complainant

2. Saravanan

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the entire records to the petitioner in C.C.No.93 of 2021, on the file of the learned Judicial Magistrate Court, Thiruppuvanam and quash the same against the petitioner.

For Petitioner : Mr.S.Balasubramanian

For R1 : Mr.A.Albert James
Government Advocate (Crl Side)

For R2 : Mr.R.Senthilkumar



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were identified by the learned Government Advocate and Mr.A.Rajadurai, SSI, Thiruppachethi Police Station, Sivagangai District. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. 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 offences punishable under Sections 294(b), 341, 324, 506(ii), 427 I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

5. 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 Gujraht** reported in (2017)9 SCC 641 were taken into consideration.

6. 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.93 of 2021 pending before the Judicial Magistrate



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Court, Thiruppuvanam, even though, the offences involved are not compoundable in nature.

7. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.93 of 2021, on the file of the Judicial Magistrate Court, Thiruppuvanam, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

29.08.2022

Internet:Yes./No
Index:Yes/no
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To

1. The Judicial Magistrate Court,
Thiruppuvanam.
2. The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District – 630 610.
3. 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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