



Crl.O.P.(MD) No.17998 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 07.10.2022

CORAM:

THE HONOURABLE **MRS.JUSTICE T.V.THAMILSELVI**

Crl.O.P.(MD) No.17998 of 2022

1.Vanaraja

2.Om Prakash

... Petitioners

Vs.

1.The Inspector of Police,
Appayanaickenpatti Police Station,
Virudhunagar District.
(Crime No.45 of 2022)

2.Thirumalai Kumar

....Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records pertaining to the charge sheet in C.C.No.49 of 2022 on the file of the learned Judicial Magistrate I, Sattur and quash the same.

For Petitioners	: Mr.S.Poornachandran
For Respondent	: Mr.S.Manikandan
No.1	Government Advocate



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ORDER

The Criminal Original Petition has been filed to quash the Charge Sheet in C.C.No.49 of 2022 on the file of the learned Judicial Magistrate No.I, Sattur.

2. The case of the prosecution is that due to previous enmity on 26.06.2022 when the defacto complainant was driving his lorry in a R.R.Nagar and the accused persons over took the lorry restrained the defacto complainant abused him in filthy language and also threatened with dire consequences. Further the first accused also caused damage to the side mirror on head light of the lorry and cell phone. The damages is worth about Rs.6,540/-, for which a case has been registered in Crime No.45 of 2022 and after investigation the case has been charge sheeted in CC.No.49 of 2022.

3. The case is under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably



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among themselves. The petitioners and the defacto complainant appeared. The defacto complainant Thirumalai Kumar submits that at the intervention of the people in the village, he is not interested to proceed with the case against the accused persons.

4. 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 between the parties have been compromised out of court. Where the parties have compromised the matter, the High Court has to power to quash the complaint for the offence under Sections 294(b), 341, 427 and 506(2) 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 C.C.No.49 of 2022 on the file of the learned Judicial Magistrate No.I, Sattur, 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 C.C.No.49 of 2022 on the file of the learned Judicial Magistrate No.I, Sattur is quashed and the terms of joint compromise memo shall form part and parcel of this order.

07.10.2022

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
btr/sm



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WEB COPY To

1. The Judicial Magistrate No.I, Sattur.
- 2.The Inspector of Police,
Appayanaickenpatti Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.



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T.V.THAMILSELVI, J.

btr/sm

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