



CrI.O.P.(MD)No.2650 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGOVAN

CrI.O.P.(MD)No.2650 of 2023
and CrI.M.P.(MD)No.2390 of 2023

1.V.Thirumeninathan

2.T.Baskaran

... Petitioners

Vs.

1.The State through
The Inspector of Police,
Aruppukkottai Town Police Station,
Virudhunagar District.
(Crime No.246/2020)

2.T.Nagarajan

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the impugned First Information Report in Crime No.246 of 2020 dated 24.06.2020 on the file of the first respondent under Sections 420 and 506(i) IPC and quash the same as illegal.

For Petitioners : Mr.A.Kalidoss

For R1 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor



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For R2

: Mr.T.Thirumurugan

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to call for the records pertaining to the impugned First Information Report in Crime No.246 of 2020 dated 24.06.2020 on the file of the first respondent under Sections 420 and 506(i) IPC and quash the same as illegal.

2.The case of the prosecution is that due to property dispute, the petitioners threatened the second respondent and thrown out from the house. Hence, he lodged a complaint.

3.When the matter is taken up for hearing today, the learned counsel appearing for the petitioners would submit that the second respondent has lodged a complaint before the first respondent and on that basis, FIR came to be registered in Crime No.246 of 2020 dated 24.06.2020 for the offences under Sections 420 and 506(i) IPC against the petitioners.



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4. The case is still under the investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

5.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 concerned Police 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.

6.In the instant case, it is a property dispute and now the parties had compromised. Where the parties have compromised the matter, the High Court has power quash the complaint for the offences under Sections 420 and 506(i) IPC.

7.The legal position expressed by the Hon'ble Apex Court in the case of ***Gian Singh vs. State of Panjab and another*** reported in

3/6



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(2012)10 SCC 303 and **Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath**) reported in **(2017)9 SCC 641** were taken into consideration.

8.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.246 of 2020 pending before the first respondent police, even though, the offences involved are not compoundable in nature.

9.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.246 of 2020 on the file of the first respondent police, is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

23.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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- To
- 1.The Inspector of Police,
Aruppukkottai Town Police Station,
Virudhunagar District.
 - 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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