



Crl.O.P.(MD) No.9189 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.05.2023**

CORAM:

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.(MD)No.9189 of 2023

1.Revathi

2.Kabilnath @ Kavinnath

3.Surya

4.Murugan

... Petitioners

Vs.

1.State Represented by
The Inspector of Police,
Othakadai Police Station,
Madurai.

(In Crime No.524 of 2021)

2.Muthuramalingam

3.Parasuraman

....Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for the records in FIR in Crime No.524 of 2021 on the file
of the first respondent and quash the same against the petitioners.



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For Petitioners : Mr.S.Saravana Kumar

For Respondents : Mr.R.Sivakumar

Government Advocate (Crl.Side) for R1

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.524 of 2021 on the file of the first respondent.

2. The case of the prosecution is that the defacto complainant and the petitioners are the same family members. On 09.09.2021, all the petitioners herein attacked the defacto complainant and his son with hand, also damaged his car, abused them in filthy language and threatened with dire consequences, for which a case has been registered in Crime No.524 of 2021.

3. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves. Now, the second and third respondents are not interested in proceeding the case further. The petitioners and the second and third respondents appeared before this Court.



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4. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. A Joint Memo of Compromise has been filed before this Court, which has been signed by the petitioners and the second and third respondents and also by their respective counsel.

5. In the instant case, the dispute between the parties has been compromised out of the Court. When the parties have compromised the matter, the High Court has to power to quash the complaint for the offences.

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 also in the case of **Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath**) reported in (2017) 9 SCC 641 was taken into consideration.



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7. In the light of the guidelines issued in the aforesaid Judgments of the Hon'ble Apex Court, no useful purpose will be served in keeping the FIR in Crime No.524 of 2021 on the file of 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 FIR in Crime No.524 of 2021 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.

18.05.2023

NCC:Yes/No
Index:Yes/No
Sm



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WEB COPY To

- 1.The Inspector of Police,
Othakadai Police Station,
Madurai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.



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T.V.THAMILSELVI, J.

Sm

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