



Crl.O.P.(MD)No.23095 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.23095 of 2022

- 1.Sathish
- 2.Mallan
- 3.Mohanraj
- 4.Janagaraj @ Janakaraj
- 5.Sampath
- 6.Vijay
- 7.Saravanan
- 8.Lakshmi Kanth
- 9.Prasanth
- 10.Kumaresan
- 11.Sowntharraj@ Sowndhararajan
- 12.Saravanan
- 13.Saminathan
- 14.Ramaraj
- 15.Vignesh
- 16.Ramachandran

... Petitioners

Vs.



Crl.O.P.(MD)No.23095 of 2022

1.The Inspector of Police,
Thottiyam Police Station,
Thottiyam, Trichy District.
Crime No.354 of 2021.

2.Manikandan

3.Kumaravel

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the first information report in Crime No.354 of 2021 on the file of the first respondent Police and quash the same as illegal as against the petitioners/A1 to A16.

For Petitioners : Mr.K.Arunraj,

For R1 : Mr.M.Muthumanikkam
Government Advocate (Crl. Side)

For R2 : Mr.Anandraj,

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to call for the records pertaining to the first information report in Crime No.354 of 2021 on the file of the first respondent Police and quash the same as illegal as against the petitioners/A1 to A16.



Crl.O.P.(MD)No.23095 of 2022

WEB COPY

2. The case of the prosecution is that there existed dispute between the parties with regard to the Diwali celebration and bursting crackers, due to which, the petitioners assaulted the defacto complainant and his father and also threatened them with dire consequences. Hence, the 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.354 of 2021, dated 04.11.2021 for the offences under Sections 147, 294(b), 323, 506(i) IPC, IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, against the petitioners.

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.



Crl.O.P.(MD)No.23095 of 2022

WEB COPY

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 and third respondents were also present in person before this Court and they were identified by Mr.Jeyamurugan, Grade-I 228, Thottiyam Police Station 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. Where the parties have compromised the matter, the High Court has power to quash the complaint for the offences under Sections 147, 294(b), 323, 506(i) IPC, IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

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



WEB COPY



Crl.O.P.(MD)No.23095 of 2022

K.MURALI SHANKAR,J.

das

Order made in
Crl.O.P.(MD)No.23095 of 2022

Dated: 24.01.2023