



Crl.O.P.(MD)No.484 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.484 of 2023

1.Logu @ Yogaraj

2.Sagunthala

... Petitioners

Vs.

1.The State represented by
The Deputy Superintendent of Police,
Usilampatti Circle, Madurai District.

2.The Inspector of Police,
Elumalai Police Station,
Madurai District.
(In Crime No.229 of 2022)

3.Karuppaiah

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records FIR in Crime No.229 of 2022 on the file of the second respondent and quash the same against the petitioners as illegal.

For Petitioners : Mr.M.Maharaja

For R1 & R2 : Mr.M.Muthumanikkam
Government Advocate (Crl. Side)



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basis, FIR came to be registered in Crime No.229 of 2022 dated 23.10.2022 for the offences under Sections 294(B), 342, 506(i) IPC and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities)Amendment Act, 2015, 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.

5.A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the third respondent and also by their respective counsel. The petitioners and the third respondent were also present in person before this Court and they were identified by Mr.R.Kothandaraman, Special Sub Inspector of Police, Elumalai 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.



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6.In the instant case, it is a family dispute and now the parties had compromised. Where the parties have compromised the matter, the High Court has power to quash the complaint for the offences under Sections 294(B), 342, 506(i) IPC and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities)Amendment Act, 2015.

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.

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.229 of 2022 pending before the second 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.229 of 2022 on the file of the



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second respondent police, is quashed and the terms of joint compromise

memo shall form part and parcel of this order.

07.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Deputy Superintendent of Police,
Usilampatti Circle, Madurai District.
- 2.The Inspector of Police,
Elumalai Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

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