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Crl.R.C.No.1927 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.1927 of 2024
and Crl.M.P.No.15762 of 2024

1.Prabhakaran
2.Sowmiya
3.Chinnaiyan
4.Ilachiyam
5.Vikas @ Yuvaraj

...

Petitioners

Vs.

1.V.Sakthivel

2. The State Rep.by
The Inspector of Police,
B1 North Beach Police Station
Chennai.

...

Respondents

Prayer: Criminal Revision Petition is filed under Section 397 r/w 401 of Cr.P.C. and 438 r/w 442 of BNSS to set aside the order passed in Crl.M.P.No.11268 of 2024 in C.C.No.793 of 2023 pending before the VII Metropolitan Magistrate, George Town, and to accept the compromise arrived between the petitioners and defacto complainant and allow the compounding petition filed in C.C.No.793 of 2023 pending before the VII Metropolitan Magistrate, George Town, Chennai.



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For Petitioners : Mr.R.Vijaykumar
For R-1 : Mr.R.Rajan
For R-2 : Mr.V.J.Priyadarasana
Govt. Advocate (crl.side)

ORDER

The petitioners have preferred the above revision challenging the order passed by the learned Magistrate in refusing to compound the offences pursuant to the compromise entered between the petitioners and the first respondent.

2. The first respondent had filed a complaint against the petitioners for the alleged offences under Section 294(b), 323 and 506(i) IPC. The second respondent, after investigation had filed a final report which is pending trial in C.C.No.793 of 2023 on the file of VII Metropolitan Magistrate, George Town, Chennai.

3. Admittedly, the parties have arrived at a compromise by which the first respondent had agreed to withdraw all the allegations and compound the offences alleged against the petitioners. A Memorandum



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of Understanding was also entered into between the petitioners and the first respondent on 07.09.2024.

4. Mr.R.Rajan, learned counsel appearing for the first respondent/defacto complainant confirms the above said fact. However, the learned Magistrate had not accepted the compromise since the offences under Section 294(b) and 506(i) IPC are not compoundable. There is no infirmity in the said order. The fact that there was a compromise between the parties is not disputed. The dispute between the parties is private in nature. Hence, this Court is of the view that in view of the compromise arrived at between the parties, this court can exercise its inherent powers to permit the petitioners and the first respondent to compound the offences.

5. It is well settled that where the dispute is private in nature and if there is a compromise, this Court can quash the proceedings, even if the offences alleged are non-compoundable. Therefore, this Court, in exercise of its inherent powers, quashes the proceedings in



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George Town, Chennai.

6. Accordingly, this Criminal Revision Petition is allowed.

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Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
Speaking order/Non-speaking order
rgr

To

1.The Inspector of POlice,
B1-North Beach Police Station
Chennai.

2.The VII Metropolitan Magistrate,
George Town,
Chennai.

3.The Public Prosecutor,
High Court of Madras,
Chennai.



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SUNDER MOHAN, J.

rgt

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