



WEB COPY



Crl.O.P.(MD)No.1143 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.01.2024**

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

Crl.O.P.(MD) No.1143 of 2022

and

Crl.M.P.(MD).No.824 of 2022

Hamsath Thony @ Hamsath Thoni

... Petitioner/Accused No.2

Vs.

1.The State through
the Sub Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.
(In Crime No.220 of 2021)

2.Arumugam

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the case registered in Crime No.220 of 2021 on the file of the first respondent and quash the same insofar as Accused No.2 is concerned as illegal.

For petitioner

: Mr.G.Anto Prince

For R-1

: Mr.B.Namibselvan,
Additional Public Prosecutor

For R-2

: Mr.K.P.Narayanakumar



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ORDER

This petition has been filed seeking to quash the case in Crime No.220 of 2021 on the file of the first respondent Police.

2. The case of the prosecution is that due to civil dispute, the petitioner herein abused the *defacto* complainant with filthy language and also threatened him with dire consequences. Hence, the *defacto* complainant made a complaint before the respondent Police and the respondent Police registered a case in Crime No.220 of 2021 against the petitioner and the other accused persons for the alleged offences punishable under Sections 294(b), 427 and 506 (i) of I.P.C.

3. The learned counsel appearing for the petitioner would submit that the *defacto* complainant is the father-in-law of the petitioner. He would further submit that the *defacto* complainant made a complaint before the respondent Police stating that the petitioner and her husband harassed the *defacto* complainant and claimed partition in the *defacto* complainant's property. However, the *defacto* complainant refused to give them the property and due to harassment, he made a complaint as against the petitioner and other accused persons before the respondent Police and the respondent Police registered a case against them.



Challenging the same, the present petition has been filed. The learned counsel appearing for the petitioner would further submit that there may be an amicable settlement between the parties and hence, this Court may issue a direction to both the parties to appear before the respondent Police for amicable settlement between them.

4. Heard the learned Additional Public Prosecutor appearing for the first respondent Police.

5. The learned counsel appearing for the second respondent would submit that the second respondent / *defacto* complainant is ready to appear before the respondent Police for amicable settlement.

6. In view of the above submissions, this Court directs the petitioner and other accused persons as well as the *defacto* complainant to appear before the respondent Police and on such appearance, the respondent Police is directed to settle the dispute between the parties and after completing the process, the respondent Police is further directed to close the complaint.



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7. Accordingly, the Criminal Original Petition stands disposed of. Consequently, the connected miscellaneous petition is closed.

23.01.2024

Index : Yes/No

Internet : Yes/No

TSG

To

- 1.The Sub Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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M.DHANDAPANI. J.

TSG

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