



Crl.O.P.(MD)No.1014 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.1014 of 2024

1.Packirisamy

2.David Arun

3.Rajendran

4.Mahendran

5.Kamaraj

6.Sanmugam

... Petitioners

Vs.

1.State rep by

The Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.

2.Kulathavanayagam

... Respondents

(6th petitioner is impleaded and amended as per order of the Court,
dated 03.10.2024 in Crl.MP(MD)Nos.10619 and 10621 of 2024
in Crl.OP(MD)No.1014 of 2024)

PRAYER : Criminal Original Petition filed under Section 482 of
Cr.P.C., to call for the records relating to the proceedings in Crime



Crl.O.P.(MD)No.1014 of 2024

No.656 of 2022, dated 17.10.2022 pending on the file of the first respondent police and quash the same as against the petitioners.

For Petitioners : Mr.M.B.Siva Sankar
For R1 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)
For R2 : Mr.R.Boopathi

ORDER

The Criminal Original Petition has been filed, invoking Section 482 of Cr.P.C., seeking orders to quash the FIR in Crime No.656 of 2022, dated 17.10.2022 pending on the file of the first respondent police.

2. The case of the prosecution is that on 17.10.2022, the petitioners went to the defacto complainant's house by Car and made a search as if they are coming from CID and taken away a sum of Rs.8,45,000/-. 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



Crl.O.P.(MD)No.1014 of 2024

basis, FIR came to be registered in Crime No.656 of 2022, dated 17.10.2022 for the offences under Sections 170, 420, 380, 120(b) and 34 of IPC 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 second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.A.Balasubramanian, SSI/949, Pattukottai Taluk Police Station, Thanajvur District 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.



Crl.O.P.(MD)No.1014 of 2024

WEB COPY

6. In the instant case, the dispute is of personal in nature 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 170, 420, 380, 120(b) and 34 of IPC.

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 Gujraath*** 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.656 of 2022 pending before the first 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.656 of 2022 on the file of the



Crl.O.P.(MD)No.1014 of 2024

first respondent police, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

14.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
das

To

- 1.The Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.1014 of 2024

K.MURALI SHANKAR,J.

das

Order made in
Crl.O.P.(MD)No.1014 of 2024

Dated: 14.10.2024