



Crl.O.P.(MD)No.4509 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 10.04.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.4509 of 2024

- 1.Magesh @ Maheshkannan
2. Chinna Maruthu @ Chinnamaruthu
- 3.Manimegalai
4. Panjavarnam @ Panchavarnam ... Petitioners

Vs.

1. The Inspector of Police
Mandapam Police Station,
Ramanathapuram District.
Crime No.22/2024.

2. Vengatesh @ Venkatesh ... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to F.I.R. in Crime No.22 of 2024, U/s.294(b), 342, 427, 506(ii) of I.P.C. on the file of the 1st respondent Police and quash the same as illegal as against the petitioners/Accused.

For Petitioners	: Mr.T.Venkatesan
For R1	: Mr.P.Kottaichamy
	Government Advocate (Crl.Side)
For R2	: Mr.D.Balamurugapandi



WEB COPY



Crl.O.P.(MD)No.4509 of 2024

ORDER

The petitioners are accused in Crime No.22 of 2024 on the file of the first respondent Police Station, which was registered for the offence under Sections 294(b), 342, 427, 506(ii) of I.P.C. They have filed this petition to quash the proceedings pending against them.

2. The petitioners / accused and the defacto complainant are belong to the same village. The case in Crime No.22 of 2024 was registered based on the complaint given by the second respondent on 13.02.2024 alleging that, due to money dispute, there was a wordy quarrel between the petitioners and the defacto complainant, a case and counter case were registered.

3. The petitioners and the defacto complainant are present before this Court and they submitted that on the intervention of the elders, they have amicably resolved their issue. A compromise memo dated 10.04.2024 signed by both the parties is also filed before this Court.

4. Before entertaining this application on the ground of

<https://www.mhc.tn.gov.in/> compromise, this court has also directed the investigation officer in Crime



CrI.O.P.(MD)No.4509 of 2024

No.22 of 2024 to personally verify with the defacto complainant and to ascertain whether the compromise is voluntary one, without any threat or coercion. The investigating officer, after due verification, has filed a report as under:

This is to certify that, as directed by this Court in CrI.O.P.(MD)No.4509 of 2024, I personally verified the defacto complainant in Crime No.22 of 2024, and ascertained that the compromise arrived between the accused and the defacto complainant/victims in the above case is voluntary, without any threat or coercion.

I further clarify that there are no other victims in this case, except the victims appeared before this Hon'ble Court today.

5. The parties are present. This Court has verified the parties with their Aadhaar cards and also verified as to the present status. The defacto complainant has expressed his willingness to solve the issue. Since the parties have reached settlement, the continuance of legal proceedings would serve no purpose. Moreover, the conflict is between the private individuals and it is not affecting the society at large.



Cr.L.O.P.(MD)No.4509 of 2024

WEB COPY

6. In view of the above development and in the light of the guidelines issued by the Hon-ble Supreme Court reported in **2017 9 SCC 641- (Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)**, and after exercising due caution as advised by the Hon-ble Supreme Court in **The State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. is inclined to quash the First Information Report in Crime No.22 of 2024 on the file of the first respondent Police. Though certain offences are non-compoundable in order to avoid further conflict between the parties.

7. In view of the same, by recording the compromise memo dated 10.04.2024 this criminal original petition is allowed and the case in Crime No.22 of 2024 pending on the file of the first respondent is hereby quashed. The joint compromise memo dated 10.04.2024 shall form part and parcel of the order.

10.04.2024

Index : Yes/No
Internet: Yes
NCC : Yes/No
LS



CrI.O.P.(MD)No.4509 of 2024

WEB COPY

To

- 1.The Inspector of Police
Mandapam Police Station,
Ramanathapuram District.

- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.4509 of 2024

B.PUGALENDHI,J

LS

Order made in
Crl.O.P.(MD)No.4509 of 2024

10.04.2024