



CrI.O.P.(MD)No.4806 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.04.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.4806 of 2024

and

CrI.M.P.(MD)No.3760 of 2024

1.Mahesh

2.Vinoth

... Petitioners

Vs

1.The Inspector of Police,
Samayanallur Police Station,
Madurai District.
Crime No.205 of 2015

2.Ramesh

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the impugned FIR in Crime No.205 of 2015, dated 01.06.2015 on the file of the first respondent police, Madurai District for the offence under Sections 341, 294(b), 324 and 506(ii) of IPC and quash the same as illegal.

For Petitioners : Mr.A.Gopal

For R1 : Mr.M.Sakthikumar
Government Advocate(CrI.side)

For R2 : M/s.M.Pavithra



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ORDER

The petitioners are accused in Crime No.205 of 2015 on the file of the first respondent Police Station, which was registered for the offence under Sections 341, 294(b), 324 and 506(ii) of IPC. Challenging the same, this petition is filed. They have filed this petition to quash the proceedings pending against them.

2.The case of the prosecution is that due to money dispute, the petitioners waylaid the defacto complainant and his father, abused them in filthy language, attacked the defacto complainant with iron rod and threatened them with dire consequences. Hence the case.

3.The petitioners and the defacto complainant are present before this Court and submitted that they are close relatives and out of a sudden provocation, the occurrence had taken place. On the intervention of the elders, they have amicably resolved their issue and they do not want to precipitate further. A compromise memo, dated 10.04.2024 signed by both the parties, is also filed before this Court.

4.The parties are present. This Court has verified the parties with their

<https://www.mhc.tn.gov.in/judis>

Aadhaar cards. Mr.M.Vijayakumar, Head Constable, Samayanallur Police



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Station is also present before this Court and he has also identified the parties.

The defacto complainant has expressed his willingness to solve the issue.

5.In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujraath)**, 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.205 of 2015 on the file of the respondent police.

6.Since the parties have reached settlement, the continuance of legal proceedings would serve no purpose. The conflict is between the private individuals and it is not affecting the society at large.

7.In view of the same, this criminal original petition is allowed and the case in crime No.205 of 2015 pending on the file of the first respondent is hereby quashed. Consequently, connected miscellaneous petition is closed. The Joint Compromise Memo dated 10.04.2024 shall form part and parcel of this order.



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8.Registry is directed to mark a copy of this order to Superintendent of Police, Madurai City, for taking necessary action as against the concerned Police Officer, who has failed to file the final report for the crime of the year 2015.

12.04.2024

NCC : Yes/No

Index : Yes/No

Internet:Yes

sjj

To

- 1.The Inspector of Police,
Samayanallur Police Station,
Madurai District.
- 2.The Superintendent of Police,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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