



CrI.O.P.(MD)No.4883 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2024

CORAM :

**THE HON'BLE MR.JUSTICE B.PUGALENDHI**

CrI.O.P.(MD)No.4883 of 2024

and

CrI.M.P.(MD)Nos.3822 & 3823 of 2024

Jeyavel @ Jeyavel Pandian

... Petitioner

Vs.

1.State rep by

The Sub-Inspector of Police,  
Aruppukottai Town Police Station,  
Virudhunagar District.  
Crime No.244 of 2018

2.Suthagar

... Respondents

**Prayer :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records to the charge sheet in S.T.C. No.436 of 2022 on the file of the Judicial Magistrate Court, Aruppukottai and to quash the same as illegal as against the petitioner/Accused No.1 herein.

For Petitioner

: Mr.D.Mariappan

For R1

: Mr.B.Thanga Aravindh,  
Government Advocate(CrI.side)

For R2

: Mr.G.Mariappan



**ORDER**

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The petitioner is A1 in S.T.C.No.436 of 2022 on the file of the Judicial Magistrate Court, Aruppukottai, which was registered for the offence under Sections 506(i), 294(b), 342 IPC. He filed this petition to quash the proceedings pending against him.

2.The petitioner/A1 and the defacto complainant are belong to the same village. The case of the prosecution is that there is a dispute between the accused persons and the defacto complainant with regard to the election of Aruppukottai Nadar Uravin Murai, due to which, the accused abused the defacto complainant in filthy language and also threatened him. Hence, the case.

3.The petitioner 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 02.04.2024 signed by both the parties, is also filed before this Court.

4.Before entertaining this application on the ground of compromise, this Court has directed the investigation officer in Crime No.244 of 2018 to personally verify with the defacto complainant and to ascertain whether the



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compromise is a 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.4883 of 2024, I personally verified the defacto complainant in Cr.No.244 of 2018/S.T.C.No.436 of 2022, JM, Aruppukottai, for the offence under 506(i) @ 506(i), 294(b), 342 IPC 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 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.

6.In view of the above development and in the light of the guidelines

issued by the Hon'ble Supreme Court in a case **Parbathbhai Aahir @**



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**Parbathbhai Vs. State of Gujrath** reported in **2017 9 SCC 641**, 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 charge sheet in S.T.C.No.436 of 2022 on the file of the Judicial Magistrate Court, Aruppukottai, though certain offence are non-compoundable in order to avoid further conflict between the parties.

7.In view of the same, by recording the compromise memo dated 02.04.2024 this criminal original petition is allowed and the case in S.T.C.No. 436 of 2022 pending on the file of the Judicial Magistrate Court, Aruppukottai is hereby quashed. Consequently, connected miscellaneous petitions are closed. The joint compromise memo dated 02.04.2024 shall form part and parcel of this order.

**05.04.2024**

NCC : Yes/No  
Index : Yes/No  
Internet: Yes  
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To

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- 1.The Judicial Magistrate Court, Aruppukottai
- 2.The Sub-Inspector of Police,  
Aruppukottai Town Police Station,  
Virudhunagar District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**B.PUGALENDHI,J**

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