



Crl.O.P.(MD)No.7751 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

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1.Logamanimaran
2.Pandiselvi
3.Ramalakshmi
4.Manimaran @ Chinnamani
5.Santhanayagi
6.Seethalakshmi : Petitioners

Vs.

1.The Inspector of Police,
City Crime Branch Police Station,
Madurai.
(Crime No.8 of 2024)
2.Selvamdharumaraj : Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to call for the records in connection with Crime No.8 of 2024 on the file of
the first respondent police and quash the same.

For Petitioner : Mr.K.Raghul Priyan
For R1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.side)
For R2 : Mr.S.Veerapandi Selvaraj



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ORDER

This petition has been filed praying to quash the case in Crime No.8 of 2024 on the file of the first respondent police.

2.Considering the issue involved in this petition, this Court by an order dated 23.05.2024 referred this matter to the Mediation and Conciliation Centre attached to this Bench.

3.Before the mediation Centre, the parties have agreed to settle the matter amicably. In view of the settlement reached between the parties before the Mediation and Conciliation Centre, a Joint Memo of Compromise has been filed before this Court, which has been signed by the petitioners and the second respondent and also by their respective counsel.

4.The High Court has power to quash the complaint even if the offences are non compoundable in nature, considering the facts and circumstances of the case. The legal position expressed by the Hon'ble Apex Court in the case of ***Gian Singh vs. State of Punjab and another*** reported in ***(2012)10 SCC 303*** and ***Parbatbhai Aahir @ Parbatbhai Vs.***



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State of Gujarat reported in ***(2017) 9 SCC 641*** were taken into consideration.

5. In the light of the guidelines issued in the above said Judgments of the Hon'ble Apex Court and in view of the settlement reached between the parties, no useful purpose will be served in keeping the proceedings in Crime No.2 of 2023, pending before the first respondent Police, even though, the offences involved are not compoundable in nature.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.8 of 2024, on the file of the first respondent Police, is quashed and the terms of the settlement reached between the parties before the Mediation and Conciliation Centre attached to this Bench and the joint compromise memo, shall form part and parcel of this order.

10.12.2024

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

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WEB COPY To

- 1.The Inspector of Police,
City Crime Branch Police Station,
Madurai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



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M.NIRMAL KUMAR,J.

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