



Crl.O.P.(MD)No.9598 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.9598 of 2024
and Crl.M.P.(MD)No.6551 of 2024

1.Ajithkumar @ Ajith

2.Rajamani

3.Arjunan @ Kanchivanam

4.Arunkumar @ Arun

... Petitioners

Vs.

1.The Inspector of Police,
Karuppayoorani Police Station,
Madurai District.
Crime No.996 of 2020.

2.Gayathiri

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the proceedings in Crime No.996 of 2020 on the file of the first respondent police and quash the same as far as the petitioners are concerned.

For Petitioners : Mr.J.Senthil Kumaraiah



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For R1 : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

For R2 : Mr.C.B.Naveen Chandran

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to call for the records pertaining to the First Information Report in Crime No.996 of 2020 on the file of the first respondent police and quash the same as illegal against the petitioners.

2.The case of the prosecution is that on 10.08.2020 when the defacto complainant's husband went to work, A1 with illegal intention made a gesture upon her to come, that on the next day, ie., 11.08.2020, the defacto complainant informed about the incident to her husband and he cautioned A1, that due to that motive, the accused persons abused the defacto complainant in filthy language and also threatened her with dire consequences and hence, the defacto complainant lodged a complaint before the first respondent.



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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 basis, FIR came to be registered in Crime No.996 of 2020 dated 12.08.2020 for the offences under Sections 294(b), 506(2) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 against the petitioners.

4. The learned Government Advocate(Crl.side) appearing for the first respondent would submit that the investigation in this case has been completed and charge sheet has also filed through E.Filing on 03.07.2024. 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.Kesavan, Sub Inspector of Police, Karuppayurani Police Station as well as by the learned counsels appearing for the



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parties. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

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 294(b), 506(2) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.

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 Gujrath*** 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.996 of 2020 pending before the first respondent police, even though, the offences involved are not compoundable in nature.



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9. Accordingly, this Criminal Original Petition stands allowed and

as a sequel, the proceedings in Crime No.996 of 2020 on the file of the first respondent police, is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

20.08.2024

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

1. The Inspector of Police,
Karuppayoorani Police Station,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

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