



Crl.O.P.(MD)No.12354 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.12354 of 2024

and

Crl.M.P.(MD)No.7675 of 2024

- 1.Saravanan
- 2.Jayaganesan
- 3.Kanagaraj
- 4.Rajeshkumar
- 5.Dhanabal
- 6.Ramkumar
- 7.Premkumar
- 8.Palraj @ Palraj Pandian
- 9.Madasamy
- 10.Balasubramanian

... Petitioners

Vs.

- 1.State rep. by
The Sub Inspector of Police,
Aruppukottai Town Police Station,
Aruppukottai Taluk,
Virudhunagar District.
(Crime No.55 of 2023)

- 2.Arunadevi

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 B.N.S.S.,
to call for the records relating to the First Information Report in Crime



Crl.O.P.(MD)No.12354 of 2024

No.55 of 2023 on the file of the first respondent police and to quash the same as illegal as against the petitioners/accused herein.

For Petitioners : Mr.G.Mariappan
For R1 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)
For R2 : Mr.S.Veerapandi Selvaraj

ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to quash the FIR in Crime No.55 of 2023 dated 13.02.2023 pending on the file of the first respondent.

2. The case of the prosecution is that there existed some dispute regarding Arupukkottai Nadar Abiviruthi Trust and that on 13.02.2023, the petitioners entered into the Trust office and damaged the documents and CCTV cameras and also abused the ladies, who was working there. Hence, the second respondent lodged a complaint.

3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioners would submit that the second



Crl.O.P.(MD)No.12354 of 2024

respondent has lodged a complaint before the first respondent and on that basis, FIR came to be registered in Crime No.55 of 2023 dated 13.02.2023 for the offences under Sections 147, 448, 427 and 294(b) IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002 against the petitioners.

4. The case is still under the investigation. 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 dated 01.08.2024 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.M.Selvam, Special Sub Inspector, Aruppukottai Town Police Station as well as by the learned counsels appearing for the parties. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



Crl.O.P.(MD)No.12354 of 2024

WEB COPY

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 147, 448, 427 and 294(b) IPC and Section 4 of TN 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.55 of 2023 pending before the first respondent police, even though, the offences involved are not compoundable in nature.

9. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.55 of 2023 on the file of the



Crl.O.P.(MD)No.12354 of 2024

first respondent police, is quashed and the terms of joint compromise memo dated 01.08.2024 shall form part and parcel of this order.

Consequently, connected Miscellaneous Petition is closed.

30.08.2024

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

To

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



WEB COPY



Crl.O.P.(MD)No.12354 of 2024

K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.12354 of 2024
and
Crl.M.P.(MD)No.7675 of 2024

Dated: 30.08.2024