



Crl.O.P.(MD)No.13698 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.13698 of 2024

and

Crl.M.P.(MD)No.8487 of 2024

- 1.Packiyalakshmi @ Backialalakshmi
- 2.Nevilipandi
- 3.Suresh @ Sureshkumar
- 4.Aviliappan
- 5.Chandrasekar
- 6.Bharathi @ Bharathiraja
- 7.Karuppaiah @ Karupaiya
- 8.Ayyavu @ Aiyavu
- 9.Minor Jeeva @ Jeevaganesh
represented by his father Paramasivam
- 10.Jegadeesh @ Jegadeeshkumar
- 11.Minor Gogul @ Raguram
represented by his mother Mathimalar

... Petitioners

Vs.

- 1.The State Represented by its
The Deputy Superintendent of Police,
Dindigul Rural,
Dindigul.
- 2.The Inspector of Police,
Shanarpatti Police Station,
Dindigul District.



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... Respondents

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PRAYER : Criminal Original Petition filed under Section 528 B.N.S.S., to call for the records pertaining to Crime No.226 of 2024 dated 25.05.2024 on the file of the Shanarpatti Police Station, Dindigul District and quash the same.

For Petitioners : Mr.K.R.Badurus Zaman

For R1 & R2 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

For R3 : Mr.M.Gandhirajan

ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to quash the FIR in Crime No.226 of 2024 dated 25.05.2024 pending on the file of the second respondent.

2. The case of the prosecution is that due to some land dispute, the petitioners abused the third respondent in filthy language using the community name and threatened her with dire consequences. Hence, the third respondent lodged a complaint.

3. When the matter is taken up for hearing today, the learned



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counsel appearing for the petitioners would submit that the third respondent has lodged a complaint before the second respondent and on that basis, FIR came to be registered in Crime No.226 of 2024 dated 25.05.2024 for the offences under Sections 147, 148, 294(b) and 506(2) IPC, Section 4 of TN Prohibition of Harassment of Women Act, 2002 and Sections 3(1)(r), 3(1)(s), 3(2)(va) and 3(1)(w)(ii) of SC/ST (Prevention of Atrocities) Act, 1989 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. The learned counsel appearing for the petitioners has filed an affidavit on behalf of the third respondent/defacto complainant stating that the third respondent has not received the compensation amount till date.

6. A Joint Memo of Compromise dated 09.08.2024 has been filed before this Court which have been signed by the petitioners and the third



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respondent and also by their respective counsel. The petitioners and the third respondent were also present in person before this Court and they were identified by Mr.K.Murugan, Special Sub Inspector, Shanarpatti 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.

7. 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, 148, 294(b) and 506(2) IPC, Section 4 of TN Prohibition of Harassment of Women Act, 2002 and Sections 3(l)(r), 3(l)(s), 3(2)(va) and 3(l)(w)(ii) of SC/ST (Prevention of Atrocities) Act, 1989.

8. 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 Gujraath* reported in *(2017)9 SCC 641* were taken into consideration.



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9. 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.226 of 2024 pending before the second respondent police, even though, the offences involved are not compoundable in nature.

10. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.226 of 2024 on the file of the second respondent police, is quashed and the terms of joint compromise memo dated 09.08.2024 shall form part and parcel of this order. Consequently, connected Miscellaneous Petition is closed.

04.09.2024

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

To
1.The Deputy Superintendent of Police,
Dindigul Rural,
Dindigul.
2.The Inspector of Police,
Shanarpatti Police Station,
Dindigul District.
3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.13698 of 2024
and
Crl.M.P.(MD)No.8487 of 2024

Dated: 04.09.2024