



Crl.O.P.(MD)No.14895 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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1.T.Veeramani
2.K.Prabhu
3.S.Manikandan @ Korada Mani
4.Manikandan @ Vishal ... Petitioners/A1 to A4

vs.

1.The State of Tamil Nadu,
Rep. by the Deputy Superintendent of Police,
Vallam Sub-Division,
Vallam, Thaner District.
2.The Inspector of Police,
Vallam Police Station,
Vallam, Thanjavur District. ... Respondents 1 & 2/Complainants
3.Vignesh ... 3rd Respondent/Defacto Complainant

Prayer:- Petition filed under Section 528 of BNSS/482 of Cr.P.C., to call for the records relating to the FIR in Crime No.288 of 2024 on the file of the respondents 1 and 2 and to quash the same.

For Petitioners : Mr.N.Pragalathan
For R1 & R2 : Mr.P.Kottaichamy
Government Advocate (Crl. side)
For R3 : Mr.K.Muthurakkan



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ORDER

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The petition is filed to quash the FIR in Crime No.288 of 2024 on the file of the respondents 1 and 2.

2.The learned counsel for the petitioners seeks quashment of the case on compromise. A Joint Compromise Memo is also filed. The petitioners as well as the defacto complainant are present.

3.In cases of this nature, as per the dictum of the Hon'ble Supreme Court of India in *Gian Singh vs. State of Punjab & Another* reported in **2012 (10) SCC 303**, the Court has to see the gravamen of the allegations and then conclude whether it is a fit case to be quashed on compromise or not. On perusal of the allegations in this case, it can be seen that the defacto complainant and the petitioners are friends and they are having liquor together and it was a drunken brawl.

4.In view thereof, considering the nature of averments and considering the fact that the defacto complainant no longer wants to support the case of the prosecution and he is not pressing the case, I am of



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the view that this is a fit case where this Court can exercise its power under Section 482 of the Code of Criminal Procedure and quash the case. In view thereof, the Criminal Original Petition is allowed and the FIR in Crime No.288 of 2024 shall stand quashed. The Memorandum of Compromise shall also form part of the order.

18.10.2024

NCC : Yes / No
sji

To

- 1.The Deputy Superintendent of Police,
Vallam Sub-Division,
Vallam, Thaner District.
- 2.The Inspector of Police,
Vallam Police Station,
Vallam, Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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D.BHARATHA CHAKRAVARTHY, J.

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