



Crl.O.P.(MD)No.14670 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.14670 of 2024

1.Deepak

2.Muniyappan

3.Sivaguru

(wrongly mentioned as Rajaguru in FIR
instead of Sivaguru)

4.Kottaimuniyappan

5.Palanisamy

6.Vinoth Balaguru

7.Sivaperumal

... Petitioners/A1 to A7

Vs.

1.State rep by

The Inspector of Police,
Eriodu Police Station,
Dindigul District.
(In Crime.No.191 of 2024)

2.Manikandan

... Respondents



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PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the entire records connected to the impugned FIR in Crime No.191 of 2024 pending on the file of the first respondent Police and quash the same.

For Petitioners : Mr.D.Sakthivel Murugan

For R1 : Mr.E.Antony Sahaya Prabakaran,
Additional Public Prosecutor.

For R2 : Mr.R.Karunanithi.

ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders, to quash the FIR in Crime No.191 of 2024 pending on the file of the first respondent.

2. The case of the prosecution is that on 12.06.2024, during temple festival, there arose some wordy quarrel between the petitioners and the defacto complainant, due to which, the petitioners attacked defacto complainant's brother and abused him in filthy language and also threatened them with dire consequences. Hence, the complaint.

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



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respondent has lodged a complaint before the first respondent and on that basis, FIR came to be registered in Crime No.191 of 2024 dated 12.06.2024 for the offences under Sections 147, 294(b), 323, 324, 427 and 506(2) IPC 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 20.08.2024 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.A.Sivakumar, SSI (1472), Eriyodu Police Station, Dindigul District 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.



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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, 294(b), 323, 324, 427 and 506(2) IPC.

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.191 of 2024 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.191 of 2024 on the file of the



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first respondent police, is quashed and the terms of joint compromise memo dated 20.08.2024 shall form part and parcel of this order.

03.10.2024

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

To

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



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K.MURALI SHANKAR,J.

das

Order made in
Crl.O.P.(MD)No.14670 of 2024

Dated: 03.10.2024