



Crl.O.P.(MD)No.14998 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.14998 of 2024

1.Kaliyappan
2.Sumathi
3.Kuppammal
4.Suganya
5.Kuppusamy

... Petitioners

Vs.

1.The Inspector of Police,
Vaiyampatty Police Station,
Trichy District.
(Crime No.378 of 2023)

2.Sangayi

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the case in Crime No.378 of 2023 on the file of the first respondent police and quash the same.

For Petitioners : Mr.M.Pitchai Muthu

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

For R2 : Mr.A.Mohamed Arief



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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 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.Ramachandran, Special Sub Inspector, Vaiympatty 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.

6.In the instant case, the dispute is of civil 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 IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act.



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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.378 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.378 of 2023 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.

25.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gns



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To

- 1.The Inspector of Police,
Vaiyampatty Police Station,
Trichy 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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