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CrI.O.P.(MD)No.14896 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2024

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.(MD)No.14896 of 2024

and

CrI.M.P.(MD)No.9351 of 2024

Nirmal @ Arokianirmal

... Petitioner

-Vs-

1.The State of Tamil Nadu,
Sate Rep by
The Inspector of Police,
Thirupparangundram Police Station,
Madurai District.
In Crime No.164 of 2022

2.Packiyalakshmi
3.Karthika Deepa

... Respondents

Prayer: Criminal Original Petition - filed under Section 528 of Bharatiya
Nagarik Shuraksha Sanhita, to call for the records pertaining to the case
registered impugned First Information Report in Crime No.164 of 2022
on the file of the first respondent police and quash the same as illegal.

For Petitioner	: Mr.B.Arun
For R1	: Mr.K.Sanjai Gandhi Government Advocate (CrI.Side)
For R2	: Mr.S.Pradeep



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5. 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.

6. A Joint Memo of Compromise, dated 30.09.2024, has been filed before this Court, which has been signed by the petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.J.Kamban, SSI of Police, V1, Thiruparankundarm Police Station, Madurai District as well as by the learned counsel 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. The High Court has power to quash the complaint even if the offences are non compoundable in nature, considering the facts and circumstances of the case.

8. The legal position expressed by the Hon'ble Apex Court in the case of ***Gian Singh vs. State of Punjab and another*** reported in



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(2012)10 SCC 303 and ***Parbatbhai Aahir @ Parbatbhai Vs. State of Gujarat*** reported in **(2017) 9 SCC 641** were taken into consideration.

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.164 of 2022, pending before the first 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.164 of 2022, on the file of the first respondent Police, is quashed and the terms of joint compromise memo dated 30.09.2024, shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

20.11.2024

Index : Yes/No

Internet : Yes/No

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To

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- 1.The Sub Inspector of Police,
Eruvadi Police Station,
Tirunelveli District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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