



Crl.O.P.(MD)Nos.15761 and 15767 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.(MD)Nos.15761 and 15767 of 2024

Crl.O.P.(MD)No.15761 of 2024

1.Gunapal
2.Naveenkumar
3.Munishwaran
4.Ajithkumar
5.Thirumalaipandyan

... Petitioners/A1 to A5

vs.

1.State of Tamil Nadu,
Rep. by the Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
Crime No.261 of 2024

... Respondent/Complainant

2.Ilangovan

... Respondent/Informant

Prayer:- Petition filed under Section 528 of BNSS, to call for the records pertaining to the FIR in Crime No.261 of 2024, dated 14.08.2024 on the file of the respondent, Elayangudi Police Station, Sivagangai District and quash the same.

For Petitioners	: Mr.K.Rajiv Gandhi
For R1	: Mr.P.Kottaichamy
	Government Advocate (Crl. side)
For R2	: Mr.M.Manikandan



Crl.O.P.(MD)Nos.15761 and 15767 of 2024

Crl.O.P.(MD)No.15767 of 2024

WEB COPY

1.Ilangovan
2.Shanmugam
3.Renuka
4.Chithra
5.Kabibalan

... Petitioners/A1 to A5

vs.

1.State of Tamil Nadu,
Rep. by the Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
Crime No.262 of 2024

... Respondent/Complainant

2.Naveenkumar

... Respondent/Informant

Prayer:- Petition filed under Section 528 of BNSS, to call for the records pertaining to the FIR in Crime No.262 of 2024, dated 14.08.2024 on the file of the respondent, Elayangudi Police Station, Sivagangai District and quash the same.

For Petitioners : Mr.K.Rajiv Gandhi
For R1 : Mr.P.Kottaichamy
Government Advocate (Crl. side)
For R2 : Mr.M.Manikandan

COMMON ORDER

These petitions are filed to quash the FIR in Crime Nos.261 and 262 of 2024, dated 14.08.2024 on the file of the first respondent.



Crl.O.P.(MD)Nos.15761 and 15767 of 2024

WEB COPY

2.The learned counsel for the petitioners seeks quashment of the case on compromise. A joint compromise memo is also filed in both cases. The learned counsel submits that the occurrence is a case and counter arising out of a temple festival.

3.I have gone through the allegations made in both cases. It can be seen that during the temple festival, a wordy quarrel arose, pursuant to which, both sides are said to have attacked each other, on account of which the case has been registered. Now all these parties are residing in the same neighbourhood and they have since compromised the issue and are living the life amicably.

4.Considering the overall facts and circumstances of the case, I am of the view that this case will squarely fall within the parameters as laid down by the Hon'ble Supreme Court of India in ***Gian Singh vs. State of Punjab & Another*** reported in **2012 (10) SCC 303**. In view thereof, invoking the extraordinary power under Section 482 of the Code of Criminal Procedure, I deem it fit to quash both the cases.



Crl.O.P.(MD)Nos.15761 and 15767 of 2024

WEB COPY

5. Accordingly, these petitions are allowed and the First Information Reports in Crime Nos.261 and 262 of 2024 shall stand quashed. The memorandum of compromise shall form part of the order.

18.10.2024

NCC : Yes / No
sji

To

1. The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)Nos.15761 and 15767 of 2024

D.BHARATHA CHAKRAVARTHY, J.

sjj

Crl.O.P.(MD)Nos.15761 and 15767 of 2024

18.10.2024