



Crl.O.P.(MD)No.16452 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.16452 of 2024
and
Crl.M.P(MD)No.10334 of 2024

1.Veluchamy

2.Varadharajan

3.Vignesh : Petitioners/A1 to A3

Vs.

1.State of Tamil Nadu rep.by
The Inspector of Police,
Soolakarai, Virudhunagar,
Virudhunagar District.
Crime No.102 of 2013.

2.S.Radha Lakshmi : Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to call for the records pertaining to the FIR in Crime No.102 of 2013
pending on the file of the Inspector of Police, Soolakarai Police Station,
Virudhunagar District and quash the same.

For Petitioners : Mr.M.Murugan,



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

For R2 : Mr.R.Velmurugan.

ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to quash the FIR in Crime No.102 of 2013 pending on the file of the Inspector of Police, Soolakarai Police Station, Virudhunagar District.

2. The case of the prosecution is that on 18.02.2013 at about 11.00 am, the petitioners/A1 to A3 have trespassed into the house of the second respondent and threatened her that if she will not help for creating problem in the property of the second respondent's son, they will kill her; that the second petitioner/A2 insisted the second respondent to register the sale deed in their favour otherwise, they will kill her and her son and threatened her 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.102 of 2013, dated 23.02.2023 for the offences under Sections 465, 468, 448, 506(i) and Section 4 of TNPWH Act., 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 29.09.2024 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.N.Thiyagarajan, Sub-Inspector of Police, Soolakarai Police Station, Virudhudnagar 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 465, 468, 448, 506(i) and Section 4 of TNPWH Act.

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.102 of 2013 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.102 of 2013 on the file of the



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first respondent police, is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently, connected Miscellaneous Petition is closed.

23.10.2024

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

To

- 1.The Inspector of Police,
Soolakarai, Virudhunagar,
Virudhunagar 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.16452 of 2024

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