



Crl.O.P.(MD)Nos.15750 and 15751 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.15750 and 15751 of 2024

Crl.O.P.(MD)No.15750 of 2024

1.Karuppusamy @ Karuppasamy
2.Ramu
3.Chellamuthu
4.Kumar

... Petitioners/A1 to A4

vs.

1.The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.
Crime No.89 of 2017

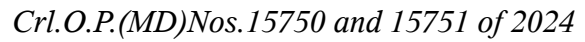
... 1st Respondent/Complainant

2.Gurunathan

... 2nd Respondent/Defacto Complainant

3.Veerapathiran
4.Tamilselvan
5.Kajendran
6.Pushpam
7.Amchalekha
8.Lakshmi
9.Rajeshwari
10.Kalaiselvi

11.Divya ... Respondents 3 to 11/Proposed Respondents 3-11
[R3 to R11 are impleaded vide order dated 18.10.2024
in Crl.M.P.(MD)No.11049 of 2024]



For Petitioners : Mr.P.Suresh
For R1 : Mr.P.Kottaichamy
Government Advocate (Crl. side)
For R2 to R11 : Mr.R.Ponkarthikeyan

1.Gurunathan
2.Rajendraprasath
3.Sasikumar
4.Veerapathiran @ Veerapatthiran ... Petitioners/A1, A4, A7 and A9

1.The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.
Crime No.90 of 2017

... 1st Respondent/Complainant

2.Karuppusamy ... 2nd Respondent/Defacto Complainant
3.Chellamuth
4.Suresh
5.Mathakumar ... Respondents 3 to 5/Proposed Respondents 3 to 5
[R3 to R5 are impleaded vide order dated 18.10.2024
in CrI.M.P.(MD)No.11050 of 2024]

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For Petitioners : Mr.R.Ponkarthikeyan
For R1 : Mr.P.Kottaichamy
Government Advocate (Crl. side)
For R2 to R5 : Mr.P.Suresh

COMMON ORDER

Crl.O.P.(MD)No.15750 of 2024 is filed to quash the proceedings in C.C.No.435 of 2022 on the file of the learned District Munsif cum Judicial Magistrate Court, Thiruppuvanam, against the petitioners.

2.Crl.O.P.(MD)No.15751 of 2024 is filed to quash the FIR in Crime No.90 of 2017 on the file of the first respondent police against the petitioners.

3.The learned counsel for the petitioners seeks quashment of the case on compromise. The joint compromise memo is also filed. The occurrence is the case and counter and both sides are said to have attacked each other on account of a family dispute. Now, all the members of the family are submitting that they have settled the issue among themselves and the issue is amicably settled between them.



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4.Considering the nature of the offences that it is under Section 147, 148, 341, 294(b), 323, 324, 336 and 506(2) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act, 2002, and it is a case and counter of allegations of family members attacking each other, I am of the view that this is a fit case as per the Judgment of the Hon'ble Supreme Court of India in ***Gian Singh vs. State of Punjab & Another*** reported in **2012 (10) SCC 303**, to exercise the power under 482 of the Code of Criminal Procedure and to quash the same.

5.Accordingly, these Criminal Original Petitions are allowed. The case in C.C.No.435 of 2022 on the file of the learned District Munsif cum Judicial Magistrate Court, Thiruppuvanam, stands quashed and the FIR in Crime No.90 of 2017 shall stand quashed. The Memorandum of Compromise shall form part of the order.

18.10.2024

NCC : Yes / No
sji

To



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- 1.The District Munsif cum Judicial Magistrate Court, Thiruppuvanam.
- 2.The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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D.BHARATHA CHAKRAVARTHY, J.

sjj

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