



*Crl.O.P.(MD)No.19616 of 2024*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2024

CORAM

**THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR**

Crl.O.P.(MD)No.19616 of 2024

1.Siva Murugaiya @ Murugaiya  
2.Pasupathy

... Petitioners

Vs.

1.The State of Tamil Nadu  
rep., by its, The Inspector of Police,  
Nagudi Police Station,  
Nagudi District.  
Crime No.194 of 2024

2.Rathinam

... Respondents

**PRAYER :** Criminal Original Petition filed under Section 528 of BNSS,  
to call for the records relating to Crime No.194 of 2024 dated 19.08.2024  
on the file of the first respondent police and to quash the same in so far  
as the petitioner.

|                 |                                                         |
|-----------------|---------------------------------------------------------|
| For Petitioners | : Mr.S.Sathiyachidambaram                               |
| For R1          | : Mr.K.Sanjai Gandhi<br>Government Advocate(Crl.Side) \ |
| For R2          | : Mr.M.Dhinakar                                         |





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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, dated --.10.2024, has been filed before this Court, which has 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.C.Ayyappan, SSI of Police, Nagudi Police Station, Nagudi 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.

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 296(b), 115(2), 118(1) and 351(3) of BNS Act, 2023.



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7. The legal position expressed by the Hon'ble Apex Court in the case of ***Gian Singh vs. State of Punjab and another*** reported in ***(2012)10 SCC 303*** and ***Parbatbhai Aahir @ Parbatbhai Vs. State of Gujarat*** 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.194 of 2024, 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.194 of 2024, on the file of the first respondent Police, is quashed and the terms of joint compromise memo dated --.10.2024, shall form part and parcel of this order.

**27.11.2024**

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NCC : Yes / No  
Index : Yes / No



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To

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



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**M.NIRMAL KUMAR, J.**

*Rmk*

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