



Crl.O.P.(MD)No.20102 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.20102 of 2024

Veeranan

... Petitioner

Vs.

1. The Inspector of Police,
Palamedu Police Station,
Madurai, Madurai District.

2. Veeralakshmi

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to call for the records pertaining to the the case in Crime No.216 of 2024
on the file of the first respondent police and quash the same.

For Petitioner : Mr.R.Karunanidhi

For R-1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. side)

For R-2 : Mr.T.Rajesh



Crl.O.P.(MD)No.20102 of 2024

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ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.216 of 2024 on the file of the first respondent Police.

2. The case of the prosecution is that due to previous enmity with regard to land dispute, the petitioner abused the defacto complainant in filthy language and assaulted her and also threatened her with dire consequences. Hence, the present case.

3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner would submit that the second respondent has lodged a complaint before the first respondent Police and on that basis, F.I.R. came to be registered in Crime No.216 of 2024, dated 05.10.2024 for the offences under Sections 329(3), 296(b), 115(2), 118(1), 351(3) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, against the petitioner.

4. The case is still under the investigation. By passage of time, the



Crl.O.P.(MD)No.20102 of 2024

parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

5. A Joint Memo of Compromise dated 20.11.2024 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.V.Bose, SSI, Balamedu Police Station, Madurai, 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 329(3), 296(b), 115(2), 118(1), 351(3) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, .



Crl.O.P.(MD)No.20102 of 2024

WEB COPY

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.216 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.216 of 2024 on the file of the first respondent Police, is quashed and the terms of joint compromise memo dated 20.11.2024, shall form part and parcel of this order.

NCC : Yes / No
Index : Yes / No
jbr

22.11.2024



Crl.O.P.(MD)No.20102 of 2024

WEB COPY To

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



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Crl.O.P.(MD)No.20102 of 2024

M.NIRMAL KUMAR, J.

jbr

Crl.O.P.(MD)No.20102 of 2024

22.11.2024