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Crl.O.P.(MD)No.20664 of 2024 and etc batch



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2024

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P(MD)Nos.20664, 20676, 20805 and 20807 of 2024

1.Jeyanthi

2.Surya Prakash

3.Praveen Kumar

4.Saravanan

... Petitioners in Crl.O.P.(MD)No.
20664/2024

1.Surya @ Surya Prakash

2.Saravanan

3.Praveen Kumar

... Petitioners in Crl.O.P.(MD)No.
20676/2024

Sathishkumar @ Satheeshkumar

... Petitioner in Crl.O.P.(MD)No.
20805/2024

1.Sathishkumar

2.Manojkumar @ Manoj Prabhakar ... Petitioner in Crl.O.P.(MD)No.
20807/2024

-Vs-

1.The State through

The Inspector of Police,

Silaiman Police Station,

Madurai District.

(Crime No.1470 of 2020)

2.Sathish Kumar

..Respondents in Crl.O.P.(MD)No.
20664/2024

1.The State through

The Sub Inspector of Police,

K.Pudur Police Station,

Madurai District.

(Crime No.2577 of 2020)



2.Sathish Kumar

..Respondents in Crl.O.P.(MD)No.
20676/2024

1.The State of Tamil nadu rep by
The Inspector of Police,
Othakadai Police Station,
Madurai District.
(Crime No.104 of 2023)

2.Roja

..Respondents in Crl.O.P.(MD)No.
20805/2024

1.The State of Tamil nadu rep by
The Inspector of Police,
Vilakkuthoon Police Station,
Madurai City, Madurai.
(Crime No.1463 of 2020)

2.Jeyanthi

..Respondents in Crl.O.P.(MD)No.
20807/2024

COMMON PRAYER: Criminal Original Petitions- filed under Section 528 of Bharatiya Nagarik Shuraksha Sanhita, to call for the records and quash the FIR crime Nos.1470, 2577 & 1463 of 2020 and 104 of 2023 pending on the file of the first respondent.

In Crl.O.P.(MD)No.20664 and 20676 of 2024:

For Petitioners	: Mr.R.Rajmohan
For R1	: Mr.K.Sanjai Gandhi Government Advocate (Crl.Side)
For R2	: Mr.K.Navaneetha Raja

In Crl.O.P.(MD)No.20805 and 20807 of 2024:

For Petitioner	: Mr.K.Navaneetharaja
For R1	: Mr.K.Sanjai Gandhi Government Advocate (Crl.Side)
For R2	: Mr.R.Rajamohan



COMMON ORDER

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The Criminal Original Petitions have been filed to quash the First Information Report in Crime Nos.1470, 2577 & 1463 of 2020 and 104 of 2023 on the file of the respective first respondent Police.

2. The case of the prosecution is that the second respondent and the daughter of the first petitioner in Crl.O.P.(MD)No.20664 of 2024 got married in the year 2019. There arose some matrimonial dispute between them, which had resulted in altercation between the family members. Hence, the case.

3. The learned counsel appearing for the petitioners in all these petitions would submit that the second respondent in all these petitions have lodged complaints before the respective first respondent Police and on that basis, F.I.R. came to be registered in Crime Nos.1470, 2577 & 1463 of 2020 and 104 of 2023.

4. The cases are still under the investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.



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5. Joint Memos of Compromise have been filed before this Court, which have been signed by the petitioners and the second respondent in all these petitions and also by their respective counsel. The petitioners and the second respondent in all these petitions were also present in person before this Court and they were identified by Ms.Booma, SSI of Police, Silaiman Police Station, Mr.A.Krishnan, SSI of Police, K.Pudur Police Station, Mr.I.Rajarajan, SSI of Police, Othakadai Police Station and Mr.R.Vegatasalapathi, SSI of Police, Vilathikularm Police Station, Madurai District as well as by the learned counsel 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, there was a matrimonial dispute between the second respondent and the daughter of the first petitioner in Crl.O.P. (MD)No.20664 of 2024. They have also filed a divorce application and got separated. Now the parties have compromised the matter amicably. The High Court has power to quash the complaint even if the offences are non compoundable in nature, considering the facts and circumstances of the case.

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.

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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 Nos.1470, 2577 & 1463 of 2020 and 104 of 2023, pending before the first respondent Police, even though, the offences involved are not compoundable in nature.

9. Accordingly, these Criminal Original Petitions stand allowed and as a sequel, the proceedings in Crime Nos.1470, 2577 & 1463 of 2020 and 104 of 2023, on the file of the respective first respondent Police, are quashed and the terms of joint compromise memo shall form part and parcel of this order.

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Index : Yes/No
Internet : Yes/No

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To

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- 1.The Inspector of Police,
Silaiman Police Station,
Madurai District.
- 2.The Sub Inspector of Police,
K.Pudur Police Station,
Madurai District.
- 3.The Inspector of Police,
Othakadai Police Station,
Madurai District.
- 4.Inspector of Police,
Vilakkuthoon Police Station,
Madurai City, Madurai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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(1/2)