



Crl.O.P.(MD)No.21946 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.21946 of 2024

1. R.Raja
2. R.Sivasubramani
3. V.Arjunan
4. B.Murugesan
- 5.C.Ayyasamy
6. C.Ravikumar

... Petitioners

Vs.

1. The Inspector of Police
Vadamadurai Police Station
Dindigul District
2. S.Chitra
3. S.Gayathiri

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the First Information Report in Crime No. 444 of 2018 on the file of the Inspector of Police, Vadamadurai Police Station, Dindigul District and quash the same as illegal.



Crl.O.P.(MD)No.21946 of 2024

WEB COPY

For Petitioners : Mr.C.Prithviraj
For R1 : Mr.K.Sanjai Gandhi
Government Advocate(Crl.Side) \\
For R2& R3 : Mr.K.C.Muniyarasu

ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No. 444 of 2018 on the file of the Inspector of Police, Vadamadurai Police Station, Dindigul District

2. The case of the prosecution is that the de-facto complainant's daughter is studying 2nd year nursing at Sabari College situated at Koviloor, Dindigul District. On 30.08.2018, when the defacto complainant dropped her daughter at the college, the accused persons came in bolero car and obstructed the defacto complainant and her daughter and thereafter the defacto complainant's daughter was kidnapped. The 1st accused threaten the defacto complaint that he will marry the defacto complainant's daughter. Hence, a complaint was made on 30.08.2018 and a FIR was registered against the Petitioners in Crime No. 444 of 2018 on 30.08.2018.



Crl.O.P.(MD)No.21946 of 2024

WEB COPY

3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioners 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.444 of 2018 , for the offences under Sections 147,341 and 366 of IPC 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 16.12.2024 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 respondent police , 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.



Crl.O.P.(MD)No.21946 of 2024

WEB COPY

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 147,341 and 366 of IPC.

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.444 of 2018, 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.444 of 2018, on the file of the



Crl.O.P.(MD)No.21946 of 2024

first respondent Police, is quashed and the terms of joint compromise memo dated 16.12.2024 shall form part and parcel of this order.

18.12.2024

NCC : Yes / No
Index : Yes / No
aav

To

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



WEB COPY



Crl.O.P.(MD)No.21946 of 2024

M.NIRMAL KUMAR, J.

aav

Crl.O.P.(MD)No.21946 of 2024

18.12.2024