



Crl.O.P.(MD)No.375 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.375 of 2025

1.Thangaraj
2.Ponnaiah

... Petitioners

Vs.

1.State of Tamil Nadu
rep., by The Inspector of Police,
Shanarpatty Police Station,
Dindigul District.
Crime No.121 of 2024

2.Muthuraja

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the first information report in Crime NO.121 of 2024 on the file of the first respondent/the Inspector of Police, Shanarpatty Police Station, Dindigul District and quash the same as illegal.

For Petitioners : Mr.S.Arjun

For R1 : Mr.K.Sanjai Gandhi
Government Advocate(Crl.Side) \



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For R2

: Mr.B.Vinothkumar

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ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.121 of 2024 on the file of the first respondent Police.

2. The case of the prosecution is that the defacto complainant purchased four wheeler vehicle bearing Registration No.TN 57 BD 2739 for a sum of Rs.4,25,000/- from the petitioners. The defacto complainant paid the amount and received RC Book and other documents. On 06.01.2024, the defacto complaint approached the RTO Office for name transfer of vehicle, at that time, engine number was verified from the RC Book, but the Chassis number was different from RC Book. Hence, the name transfer of the vehicle was refused. When the same was questioned by the defacto complainant, the petitioners abused him. Thereafter, the defacto complainant lodged a complaint, based on which, CSR NO.120 of 2024 was assigned and enquiry was conducted. During enquiry, the petitioners undertakes to change the chassis number and the defacto complainant also hand over the original RC book to them. However, the



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petitioners could not change the chassis number and returned the RC Book to the defacto complainant. On 23.03.2024, A1 undertakes to return the money of Rs.4,25,000/- and obtained RC Book and other original document, but till date they did not turn up. Hence, the case.

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.121 of 2024, dated 30.03.2024 for the offences under Sections 406, 420, 294(b) and 506(2) 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 23.01.2025, 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



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and the second respondent were also present in person before this Court and they were identified by Mr.K.Murugan, SSI of Police, Shanarpatty Police Station, Dindigul 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, where the parties have compromised the matter, the High Court has power to quash the complaint for the offences under Sections 406, 420, 294(b) and 506(2) 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.121 of 2024, pending before the first



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M.NIRMAL KUMAR, J.

Rmk

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