



Crl.O.P.(MD) No.156 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

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1.Alexpandian

2.Selvakumar

3.Veluchamy

... Petitioners

Vs.

1.The State of Tamil Nadu
Represented by its
Inspector of Police,
Vadamadurai Police Station,
Dindigul.
(Crime No.522 of 2018)

2.Saravanan

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, 1973 to call for the records pertaining to C.C.No.53 of 2019 on the file of the Judicial Magistrate Court, Vedasandur and quash the same.

For Petitioners : Mr.K.R.Badurus Zaman

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



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For R2

: Mr.M.Gandhi Rajan

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ORDER

The Criminal Original Petition has been filed under Section 482 of the Criminal Procedure Code, 1973, seeking to quash C.C.No.53 of 2019 on the file of the Judicial Magistrate Court, Vendasandur.

2. The case of the prosecution is that on 16.10.2018, at about 09:00 p.m., when the second respondent (de facto complainant) and one Natchan were proceeding from Kurumbapatti to Senkurichi, a car bearing registration No.TN-57-J-5154, in which the petitioners were traveling, came towards them in a reckless manner, resulting in the second respondent (de-facto complainant) and Natchan attempting to avoid a collision, but both fell down. Upon getting up, when the second respondent (de facto complainant) and Natchan questioned the petitioners regarding the incident, the petitioners allegedly assaulted them by hitting and kicking them, and used filthy language and threatened them with dire consequences. Hence, the second respondent (de facto complainant) lodged a complaint.



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4. The case is under trial. 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 01.01.2025, 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 and the second respondent were also present in person before this Court and they were identified by Mr.M.Madhavan, Special Sub-Inspector of Police, Vadamadurai Police Station, Dindigul District, as well as by the learned counsels appearing for the parties. This Court also enquired both the



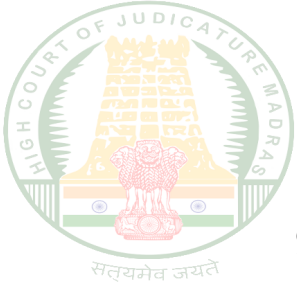
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parties and was satisfied that the parties have come to an amicable settlement between themselves.

6. In the instant case, now the parties had compromised. Where the parties have compromised the matter, the High Court has power to quash the complaint for the offences punishable under Sections 294(b), 323, and 506 (2) of I.P.C.

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 C.C.No.53 of 2019 as against the petitioners pending before the Judicial Magistrate Court, Veda sandur, even though, the offences involved are not compoundable in nature.



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9. Accordingly, this Criminal Original Petition is allowed and the proceedings in C.C.No.53 of 2019, on the file of the Judicial Magistrate Court, Veda sandur, is quashed as against the petitioners and the Joint Compromise Memo, dated 01.01.2025, shall form part and parcel of this order.

07.01.2025
(1/2)

Index: Yes/ No
Neutral Citation: Yes / No
Speaking Order/Non-Speaking Order

JEN

To:

- 1.The Judicial Magistrate Court,
Veda sandur, Dindigul District.
- 2.The Inspector of Police,
Vadamadurai Police Station,
Dindigul.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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