



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2025

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P(MD)No.545 of 2025

1.Dhinakarapandi @ K.Dhinakaran

2.Vetrivel

3.Pandi @ Chinnapandi

4.Abimayam @ Abimanyu

5.Ganapathi

6.Murugan

7.Ponnumariammal @ K.Ponmari

8.Mariyammal

... Petitioners

-Vs-

1.The State of Tamil Nadu,
The Inspector of Police,
Aruppukottai Taluk Police Station,
Virudhunagar District.
(Crime NO.95 of 2024)

2.Ramesh @ Ramesh Prabha

... Respondents

Prayer: Criminal Original Petition - filed under Section 528 of Bharatiya
Nagarik Shuraksha Sanhita, to call for the records pertaining to the case
in Crime No.95 of 2024 dated 03.05.2024 on the file of the first
respondent police station and quash the same as illegal.

For Petitioners	: Mr.K.Yasar Arafath
For R1	: Mr.K.Sanjai Gandhi
	Government Advocate (Crl.Side)
For R2	: Mr.J.Mohammed Ibrahim



ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.95 of 2024 on the file of the first respondent Police.

2. The case of the prosecution is that on 03.05.2024, the defacto complainant after bathing in from one Jeyaraj's agricultural, the petitioners are said to have abused and assaulted the defacto complainant with steal. Hence, this case.

3. 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.95 of 2024, dated 03.05.2024 for the offences under Sections 147, 148, 294(b), 341, 323 and 506(ii) of IPC.

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 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.S.Ravi Easwaran, Aruppukottai Taluk Police Station, Virudhunagar 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 is a case and case in counter. The wordy quarrel was developed into a scuffle and now the parties compromised the matter amicably. The High Court has power to quash the complaint even if the offences are non compoundable in nature.

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.95 of 2024, pending before the first respondent Police, even though, the offences involved are not compoundable in nature.



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9. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.95 of 2024, on the file of the first respondent Police, is quashed and the terms of joint compromise memo dated 08.01.2025, shall form part and parcel of this order.

10.01.2025

Index : Yes/No

Internet : Yes/No

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To

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



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M.NIRMAL KUMAR,J.

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