



Crl.O.P.(MD)No.1929 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.1929 of 2025

1.Vignesh
2.Dinesh

... Petitioners

Vs.

1.State of Tamil nadu,
rep., by the Sub-Inspector of Police,
Rameswaram Town Police Station,
Ramanathapuram District.
Crime No.265 of 2023

2.Krishnamoorthy

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the FIR in Crime No.265 of 2023 dated 13.12.2023 registered before the first respondent police and quash the same as far as these petitioners are concerned.

For Petitioners : Mr.M.Bhuvana Hariharanathan

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

For R2 : Mr.M.Sailesh



Crl.O.P.(MD)No.1929 of 2025

WEB COPY

ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.232 of 2019 on the file of the first respondent Police.

2. The case of the prosecution is that the accused persons way laid the defacto complainant, abused with filthy language and also beaten. Hence this present case. It is also submitted that this is a case and case in counter.

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.265 of 2023, dated 13.12.2023 for the offences under Sections 341, 294(b), 323, 506(2) and 379 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.



Crl.O.P.(MD)No.1929 of 2025

WEB COPY

5. A Joint Memo of Compromise, dated 21.01.2025, 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.D.Karthikraja, Rameshwaram Town Police Station, 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 341, 294(b), 323, 506(2) and 379 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.



Crl.O.P.(MD)No.1929 of 2025

WEB COPY

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.265 of 2023, 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.265 of 2023, on the file of the first respondent Police, is quashed and the terms of joint compromise memo dated 21.01.2025, shall form part and parcel of this order.

30.01.2025

NCC : Yes / No

Index : Yes / No

Rmk

To

1.The Sub-Inspector of Police,
Rameswaram Town Police Station,
Ramanathapuram District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.O.P.(MD)No.1929 of 2025

M.NIRMAL KUMAR, J.

Rmk

CrI.O.P.(MD)No.1929 of 2025

30.01.2025