

Crl.O.P.(MD)No.1236 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

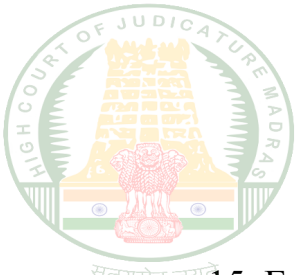
DATED: 28.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.1236 of 2025

1. Karna @ Karunakaran
2. Siva @ Sivasubramanian
3. Santhanam
4. Ramki @ Ramakrishnan
5. Kathir @ Kathiravan
6. Yuvaraj
7. Vijay
8. Vishwa
9. Ramesh
10. Navaneetham @ Navaneethan
11. Aravinth
12. Rajasekar
13. Ranjith @ Ranjithkumar
14. Vairaperumal



Crl.O.P.(MD)No.1236 of 2025

WEB COPY

15. Evuri

16. Mahalingam

17. Ganesh

18. Prasanna

19. Rajalingam

20. Aravinth

21. S.Barath

... Petitioners

Vs

1. The State of Tamil Nadu

Rep by the Deputy Superintendent of Police

Kulithalai, Karur District..

2. The Inspector of Police

Kulithalai Police Station

Karur District.

Crime No. 483/2024.

3. Sivaprakash

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the impugned FIR in Crime No. 483/2024 dt. 14.07.2024 on the file of the 2nd respondent police and to quash the same as illegal.

For Petitioners : Mr.V.Karuna

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

For R2 : Ms.S.Vasuki



Crl.O.P.(MD)No.1236 of 2025

WEB COPY

ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.483 of 2024 on the file of the second respondent Police.

2. The case of the prosecution is that due to previous enmity on 14.07.2024 at about 08.00a.m., the accused persons unlawfully assembled with deadly weapons and assaulted the defacto complainant and others and abused him by mentioning his caste name and tore the flx board fixed by the defacto complainant. Hence, the respondent Police has registered 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 third respondent has lodged a complaint before the second respondent Police and on that basis, F.I.R. came to be registered in Crime No.483 of 2024, dated 14.07.2024 for the offences under Sections 191(1), 191(3), 296(b), 324(4), 115(2), 118(1), 351(2), 351(3) of BNS Act and Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989 against



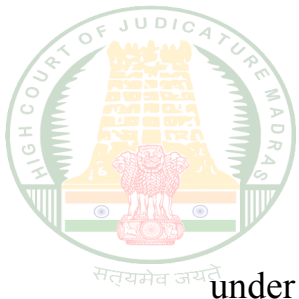
Crl.O.P.(MD)No.1236 of 2025

the petitioners.
WEB COPY

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 24.01.2025, has been filed before this Court, which has been signed by the petitioners and the third respondent and also by their respective counsel. The petitioners and the third respondent were also present in person before this Court and they were identified by Mr.R.Manikandan, SSI, Kulithalai Police Station, Karur 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, the dispute is of personal in nature and it is a case and case in counter. Now, in both the cases, the parties had compromised their dispute. Where the parties have compromised the matter, the High Court has power to quash the complaint for the offences



Crl.O.P.(MD)No.1236 of 2025

WEB COPY

under Sections 191(1), 191(3), 296(b), 324(4), 115(2), 118(1), 351(2), 351(3) of BNS Act and Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989.

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.483 of 2024, pending before the second 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.483 of 2024, on the file of the second respondent Police, is quashed and the terms of



Crl.O.P.(MD)No.1236 of 2025

joint compromise memo, shall form part and parcel of this order.

WEB COPY

28.01.2025

NCC : Yes / No

Index : Yes / No

PNM

To

1. The the Deputy Superintendent of Police
Kulithalai, Karur District..

2. The Inspector of Police
Kulithalai Police Station
Karur District.
Crime No. 483/2024.

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



WEB COPY



Crl.O.P.(MD)No.1236 of 2025

M.NIRMAL KUMAR, J.

PNM

ORDER IN
Crl.O.P.(MD)No.1236 of 2025

28.01.2025