

*Crl.O.P.(MD)No.1486 of 2025*

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**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.1486 of 2025**  
**and Crl.M.P(MD) No.634 of 2025**

Balaguru

... Petitioner

Vs

1. The State of Tamilnadu,  
Rep. by the Inspector of Police,  
Melur Police Station,  
Madurai District.  
Crime No. 1403/2020.

2. Parameshwari

... Respondents

**PRAYER :** Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records and Quash the FIR in Crime No.1403 of 2020 dated 27.07.2024 on the file of the Inspector of Police, Melur Police Station, Madurai District as against the petitioner herein.

For Petitioner : Mr. R.Ilayaraja

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

M/s. P.Mani Ananth (R2)



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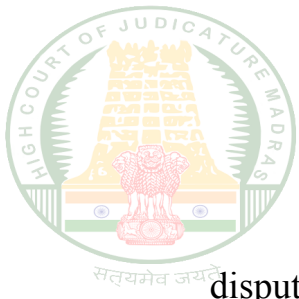
## ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.1403 of 2020 on the file of the first respondent Police.

2. The case of the prosecution is that on 22.07.2020, the petitioner rode the two wheeler along with his grand-father and due to the interception of Cow, he lost his control and fell down from the two wheeler, due to which, his grand-father died. Hence this present case lodged by the defacto complainant, who is the father of the petitioner.

3. When the matter is taken up for hearing today, 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.1403 of 2020, for the offences under Section 304 (A) IPC against the petitioner.

4. The case is still under the investigation. By passage of time, the parties have decided to bury their hatchet and compromise the



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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 petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.A.Jeyakumar, SI of Police, Melur Police Station, Madurai 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 parties had compromised their dispute. Where the parties have compromised the matter, the High Court has power to quash the complaint for the offences under Section 304 (A) 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



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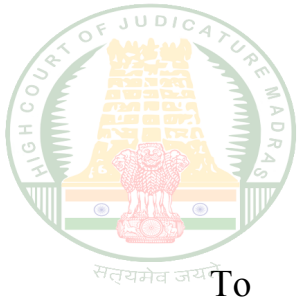
**(2012)10 SCC 303 and *Parbatbhai Aahir @ Parbatbhai Vs. State of Gujarat* reported in (2017) 9 SCC 641** were taken into consideration.

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.1403 of 2020, pending before the first respondent Police, even though, the offence involved is not compoundable in nature.

9. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1403 of 2020, on the file of the first respondent Police, is quashed and the terms of joint compromise memo, shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

**28.01.2025**

NCC : Yes / No  
Index : Yes / No  
PNM



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To  
1.The Inspector of Police,  
Melur Police Station,  
Madurai District.  
(Cr. No.1403 of 2020).

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



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**M.NIRMAL KUMAR, J.**

PNM

Order in  
**CrI.O.P.(MD)No.1486 of 2025**  
**and CrI.M.P(MD) No.634 of 2025**

**28.01.2025**