



Crl.O.P.(MD)No.1357 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.1357 of 2025
and Crl.M.P(MD).No.921 of 2025

1.S.Velusamy
Balasubramanian(died)
2.Vanaja
3.Ashokan
4.Vinothkumar
5.P.Kumudaveni
6.A.Kavitha

... Petitioners

Vs.

1.The Inspector of Police
Jeeyapuram Police Station,
Trichy District.
Crime No.69 of 2022

2.Surendiran

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the entire records pertaining to the impugned FIR in Crime No. 69 of 2022 dated 06.03.2022 registered on the file of the first respondent police under Section 142, 149, 380, 34, 395 and 402 of IPC subsequently @ to Section 34, 406, 420 and 465 of IPC as per the alteration report



Crl.O.P.(MD)No.1357 of 2025

dated 08.07.2022 and quash the same as *per-se* illegal in respect of this petitioners.

For Petitioners : Mr.S.Boominathan
For R1 : Mr.K.Sanjai Gandhi
Government Advocate(Crl.Side) \
For R2 : Mr.T.J.Ebenezer Charles

ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.69 of 2022 on the file of the first respondent Police.

2. Due to family dispute, the defacto complainant lodged a complaint against the petitioners and case in Crime No.69 of 2022 was assigned on 06.03.2022 for the offence under Sections 142, 149, 380, 34, 395 and 402 of IPC and thereafter, the same was altered into Sections 34, 406, 420 and 465 of IPC on 08.07.2022. It is the case and case in counter.



Crl.O.P.(MD)No.1357 of 2025

WEB COPY

3. 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.

4. A Joint Memo of Compromise, dated 22.01.2025, 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 the respondent police, 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.

5. 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 34, 406, 420 and 465 of IPC.

6. The legal position expressed by the Hon'ble Apex Court in the case of *Gian Singh vs. State of Punjab and another* reported in



Crl.O.P.(MD)No.1357 of 2025

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

7. 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.69 of 2022, pending before the first respondent Police, even though, the offences involved are not compoundable in nature.

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.69 of 2022, on the file of the first respondent Police, is quashed and the terms of joint compromise memo dated 22.01.2025, shall form part and parcel of this order. Consequently, connected Miscellaneous Petition is closed.

23.01.2025

(2/2)

NCC : Yes / No
Index : Yes / No
Rmk



Crl.O.P.(MD)No.1357 of 2025

WEB COPY

To

1. The Inspector of Police
Thillai Nagar Police Station
Trichy District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.1357 of 2025

M.NIRMAL KUMAR, J.

Rmk

Crl.O.P.(MD)No.1357 of 2025

23.01.2025
(2/2)