



Crl.O.P.(MD)No.2147 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.2147 of 2025

and

Crl.M.P.(MD)Nos.1481 & 1482 of 2025

1.Manikandan @ Dinesh Kumar
2.Karthick
3.Ajith Kumar
4.Praveen @ Praveen Kumar

... Petitioners

Vs.

1.The Inspector of Police,
Oddanchatram Police Station,
Dindigul District.
(In Crime No.203 of 2022)

2.Selva Raj

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 BNSS, to call for the entire records in relating to the impugned charge sheet in C.C.No.225 of 2024 on the file of the Judicial Magistrate Court, Oddanchatram and to quash the same.

For Petitioner : Mr.M.S.Jeyakarthik

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

For R2 : Mr.A.Kathick



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ORDER

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This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.225 of 2024 on the file of the Judicial Magistrate Court, Oddanchatram.

2.The case of the prosecution is that there was a previous case as against the accused persons herein and they got bail in the said case and they celebrated by bursting crackers and threatened the defacto complainant by showing deadly weapons.

3.The learned counsel appearing for the petitioners would submit that the second respondent lodged a complaint before the first respondent in Crime No.203 of 2022 and after investigation, final report was filed and the same was taken cognizance in C.C.No.225 of 2024 on the file of the Judicial Magistrate Court, Oddanchatram for the offences under Sections 143, 286 & 506(2) IPC against the petitioners.

4.The case is under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves. Now, both realized their mistakes, reconciled and



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second respondent agreeing to withdraw the complaint, not willing to pursue the case.

5.A Joint Memo of Compromise is filed before this Court signed by the petitioner and the second respondent and their respective counsels. The petitioners and the second respondent are present before this Court and identified by Mr.K.Kalimuthu, SSI of Police, Oddanchatram Police Station, Dindigul District, as well as by the learned counsel appearing for the parties. This Court enquired both the parties, satisfied that the parties have come to an amicable settlement between themselves on their own without any compulsion.

6.In the instant case, the parties are belonging to the same village and now the parties have compromised the matter. The High Court has power to quash the complaint even in non compoundable cases, considering the facts and circumstances of the case.

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.



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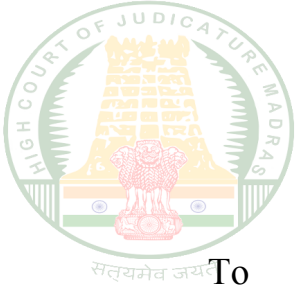
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8. In the light of the guidelines issued in the above said judgments of the Hon'ble Apex Court, no useful purpose will be served in keeping the proceedings in C.C.No.225 of 2024 on the file of the Judicial Magistrate Court, Oddanchatram even though, the offences involved are not compoundable in nature.

9. Accordingly, this Criminal Original Petition is allowed and the proceedings in C.C.No.225 of 2024 on the file of the Judicial Magistrate Court, Oddanchatram is quashed as against the petitioner and the joint compromise memo shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

NCC : Yes / No
Index : Yes / No
gns

31.01.2025



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- 1.The Judicial Magistrate Court, Oddanchatram.
- 2.The Inspector of Police,
Oddanchatram Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

gns

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