



Crl.O.P.(MD)No.2679 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2025

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

CRL.OP.(MD).No.2679 of 2025

Nallathambi

.. Petitioner/Sole Accused

Vs.

1.The State of Tamil Nadu

rep.by The Deputy Superintendent of Police,
Musiri Sub Division,
Trichy District.

2.The Inspector of Police,

Musiri Police Station,
Trichy District,

(Crime No.29 of 2025)

..1st and 2nd Respondents/Complainant

3.Kesavan

.. 3rd Respondent/De-facto Complainant

Prayer:Criminal Original Petition filed under Section 530 of BNSS, to call for the records pertaining to the impugned First Information Report in Crime No. 29 of 2025 on the file of the second respondent police and quash the same.

For petitioner : Ms.Ramakrishnan.S

For RRR1 &2 : Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)

For R3 : Mr.S.Paul Murugesh



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ORDER

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The Criminal Original Petition has been filed to quash the First Information Report in Crime No. Crime No. 29 of 2025 on the file of the second respondent police.

2. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner submitted that the matter has been compromised between the parties and also they filed a Joint Compromise Memo dated 10.02.2025.

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 10.02.2025, 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 the respondent police, as well as by the learned counsels appearing for the parties.

5. This Court also enquired, and the second respondent has no objection to quash the case since, they arrived at a compromise, as per



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the joint compromise memo, the matter has been amicably settled between the parties.

6. In the instant case, the dispute is of personal in nature and now the parties had compromised. When the parties have compromised the matter, the High Court has the power to quash the complaint for the offences under Sections 329 (3), 296 (b), 115(2), 351 (2) of BNS r/w Sections 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. 29 of 2025 on the file of 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. 29 of 2025 on the file of the



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second respondent police, is quashed and the terms of joint compromise memo dated 10.02.2025 shall form part and parcel of this order.

13.02.2025

NCC : Yes/No

Index : Yes/No

Internet : Yes

nst

To

- 1.The Deputy Superintendent of Police,
Musiri Sub Division,
Trichy District.
- 2.The Inspector of Police,
Musiri Police Station,
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

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