

Crl.O.P.(MD)No.12876 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD)No.12876 of 2025

Siyam Sundhar

.. Petitioner

Vs.

1. The State of Tamilnadu, Rep. by
The Inspector of Police,
Shanarpatti Police Station,
Shanarpatti,
Dindigul.

2. Pandian Arumugam

.. Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records relating to the Crime No.178 of 2025 pending on the file of the 1st respondent/police and quash the same.

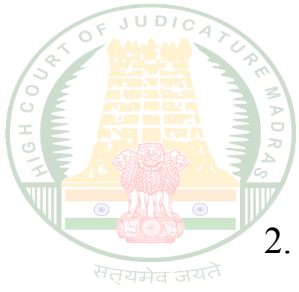
For Petitioners : Mr.A.Balaji

For R-1 : Mr.K.Sanjai Gandhi
Government Advocate (Criminal side)

For R-2 : Mr.P.Manish

ORDER

The petitioners seek for quashing of the FIR in Crime No.178 of 2025 on the file of the first respondent for the alleged offences under Section 406 and 420 IPC.



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2. The allegation in the FIR is that the petitioner and the defacto complainant's father are friends. Hence, the petitioner borrowed a sum of Rs. 6,00,000/- from the defacto complainant's father on the assurance of getting job to the defacto complainant in the Forest Department. Thereafter, he did not keep up his promise and had instead used the money for his daughter's education and thus committed the offence under Sections 406 and 420 IPC.

3. Admittedly, the petitioner and the second respondent are residing at same locality and the defacto complainant's father and the petitioner are friends and they have now entered into a compromise and decided to give a quietus to the entire dispute. The parties have filed a joint compromise memo dated 20th July, 2025 and the scanned copy of the compromise memo reads as follows:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS
MADURAI BENCH
(Criminal Original Jurisdiction)

Crl.O.P.(MD)No. 12876 of 2025

In
Crime No.178 of 2025
(On the file of the Respondent Police)

L.Siyam Sundar (M/53/2025)
S/o Lakshmanan,
No.69G, Kamarajar nagar,
ParamathiVelur,
Namakkal – 638181.

...Petitioner/ Accused

Vs

1. The State of Tamil Nadu Rep by
The Inspector of Police
Shanarpatti Police station,
Shanarpatti, Dindigul
(In Crime No.178/2025)

...Respondent/Complainant

2. Pandian Arumugam (M/30/2025)
S/o Arumugam,
Balagoundampatti, Thettampatti,
Vathelathoppampatti, Siluvathur,
Dindigul – 624 306.

... 2nd Respondent/Defacto Complaint

**JOINT MEMO OF COMPROMISE ENTERED INTO
BETWEEN THE PETITIONER AND THE 2ND RESPONDENT**

Pending the present Criminal original petition, the petitioner
and the 2nd Respondent have resolved all their disputes and decided
to give a quietus to all the disputes between them.

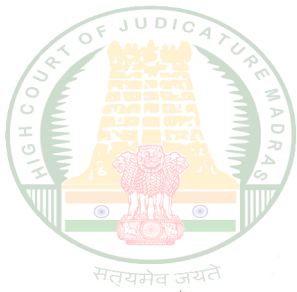
A. Pandian



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NOW THIS JOINT MEMO OF COMPROMISE WITNESSETH:-

1. The 2nd Respondent initiated criminal proceedings against the petitioner and now proceedings are pending before this Hon'ble High Court in Crl.O.P.(MD) No. ~~12876~~ /2025 in the form of quash petition filed under Section 482 of Code of Criminal Procedure.
2. In view of the settlement, the said criminal proceedings are also agreed to be given a quietus in its entirety by filing this memo of compromise. Both the petitioner and the 2nd respondent herein have agreed that they will act as per the Memorandum of Compromise entered into between the petitioner and the 2nd respondent herein.
3. The 2nd respondent consents for the quash of F.I.R. in Crime No.178 of 2025 on the file of the 1st respondent filed by him as against the petitioner herein.
4. The petitioner and the 2nd Respondent state that one Murugesan son of Periyasamy who has taken the money had returned the same to the 2nd Respondent.
5. In view of the present compromise on the above stated terms both the petitioner and the 2nd respondent will not have any claim as against each other in the future after the recording of the present compromise.
6. As aforesaid, the petitioner and 2nd Respondent have resolved all their disputes and they have no claims against each other and in the future also.

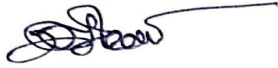


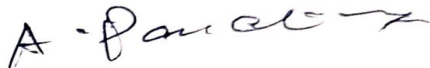
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7. The Petitioner and the 2nd Respondent are agreeable for passing orders in terms of this Compromise Memo. 3

Dated at Madurai on this the 20th day of July 2025


(L.Siyam Sundar)
PETITIONER


(Pandian Arumugam)
2ND RESPONDENT


(COUNSEL FOR PETITIONER)


(COUNSEL FOR 2nd RESPONDENT)

3. The petitioner (Aadhar No.9441 0143 5775) and the second respondent (Aadhar No.2483 3043 4067) are present before this Court in person. They are identified by Mr.D.Francis John Kennedy, Special Sub Inspector of Police, Shanarpatty Police Station, Dindigul District. Both the parties confirmed the compromise arrived at between them.

4. In view of the same and considering the nature of the offences and the relationship between the parties, this Court is of the view that no useful purpose would be served by keeping the impugned FIR pending investigation.



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Accordingly, the impugned FIR in Crime No.178 of 2025 dated 30.04.2025 is

quashed and the Criminal Original Petition stands allowed.

17.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PJL

To

1. The Inspector of Police,
Shanarpatti Police Station,
Shanarpatti,
Dindigul.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

PJL

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