

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2025

WEB COPY

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P(MD)No.18936 of 2024

1.Ramachandran

2.Murugesan

3.Ponsalugai

... Petitioners

-Vs-

1.The State of Tamil Nadu,
Rep by The Inspector of Police,
Melur Police Station,
Madurai District.
(In Crime No.579 of 2021)

2.Chandrasekaran

... Respondents

Prayer: Criminal Original Petition - filed under Section 528 of Bharatiya Nagarik Shuraksha Sanhita, to call for the records pertaining to the impugned First Information Report in Crime No.579 of 2021 dated 17.09.2021 on the file of the first respondent and quash the same as illegal.

For Petitioners	: Mr.M.Arun Kumar
For R1	: Mr.K.Sanjai Gandhi
	Government Advocate (Crl.Side)
For R2	: Mr.S.Karthick Ramkumar



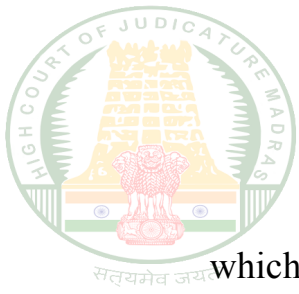
ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.579 of 2021 on the file of the first respondent Police.

2. The case of the prosecution is that the petitioners have fraudulently created document in respect of the property owned by the second respondent and the suit in this regard is also pending. While so, the petitioners entered into the second respondent's house and threatened him with dire consequences.

3. The learned counsel appearing for the petitioners 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.579 of 2021 for the offences under Sections 147, 406, 420 and 506(ii) of IPC.

4. 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.



WEB COPY

5. A Joint Memo of Compromise 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 Mr.A.Jeyakumar, SI of Police, B-1, Melur Police Station, Madurai District as well as by the learned counsel 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, there is a land dispute between the parties. Now the parties have compromised the matter amicably. The High Court has power to quash the complaint even if the offences are non compoundable in nature, 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.

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.579 of 2021, pending before the first respondent Police, even though, the offences involved are not compoundable in nature.

WEB COPY

9. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No. 579 of 2021, on the file of the first respondent Police, is quashed as against the petitioners and the terms of joint compromise memo shall form part and parcel of this order.

29.01.2025

Index : Yes/No

Internet : Yes/No

ta

To

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



WEB COPY



Crl.O.P.(MD)No.18936 of 2024

M.NIRMAL KUMAR,J.

ta

Crl.O.P(MD)No.18936 of 2024

29.01.2025