



Crl.O.P.(MD)Nos.19923 of 2024 & 1155 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)Nos.19923 of 2024 & 1155 of 2025
and Crl.M.P(MD) No.12277 of 2024 & 791 of 2025

Sekar @ Rajasekaran

... Petitioner in Crl.O.P(MD) No.19923 of 2024

1. Abishek

2. Arun Prasath

3. Praveen

4. Adaikkalam

5. Anbarasu

6. Prabhu

... Petitioners in Crl.O.P(MD) No.1155 of 2025

Vs

1. State of Tamil Nadu Rep By,
The Sub Inspector of Police,
Ponnamaravathi Police Station,
In Cr No.57/2024.
Pudukkottai District.

2. Vigneswaran



Crl.O.P.(MD)Nos.19923 of 2024 & 1155 of 2025

... Respondents in both petitions

COMMON PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records in impugned FIR in Crime No. 57 of 2024 on the file of 1st respondent dated 08.04.2024 and quash the same as illegal.

In both petitions:

For Petitioners : Mr.NA.Palaniyandi

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

For R2 : Mr.J.Prabhu

COMMON ORDER

These Criminal Original Petitions have been filed to quash the First Information Report in Crime No.57 of 2024 on the file of the first respondent Police.

2. The case of the prosecution is that due to previous enmity on 06.04.2024, during the temple festival, the accused persons abused and assaulted one Deepuraj and the defacto complainant/R2 and threatened them with dire consequences. Hence this present case.

3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioners would submit that the second



Crl.O.P.(MD)Nos.19923 of 2024 & 1155 of 2025

WEB COPY

respondent has lodged a complaint before the first respondent Police and on that basis, F.I.R. came to be registered in Crime No.57 of 2024, dated 08.04.2024 for the offences under Sections 147, 294(b), 323, 324 and 506(ii) IPC against the petitioners.

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.

5. A Joint Memo of Compromise, dated 20.01.2025, 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 Mr.C.P.Manikandan, SI of Police, Ponnamaravathi Police Station, Pudukottai District 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.



Crl.O.P.(MD)Nos.19923 of 2024 & 1155 of 2025

WEB COPY

6. In the instant case, the dispute is of personal in nature and now the parties had compromised. Where the parties have compromised the matter, the High Court has power to quash the complaint for the offences under Sections 147, 294(b), 323, 324 and 506(ii) IPC.

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.57 of 2024, pending before the first respondent Police, even though, the offences involved are not compoundable in nature.

9. Accordingly, these Criminal Original Petitions stand allowed and as a sequel, the proceedings in Crime No.57 of 2024, on the



Crl.O.P.(MD)Nos.19923 of 2024 & 1155 of 2025

WEB COPY

file of the first respondent Police, is quashed and the terms of joint compromise memo, shall form part and parcel of this order.
Consequently, connected miscellaneous petitions are closed.

21.01.2025

NCC : Yes / No
Index : Yes / No
PNM

To

1. The Sub Inspector of Police,
Ponnamaravathi Police Station,
In Cr No.57/2024.
Pudukkottai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

PNM

COMMON ORDER IN
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21.01.2025