

Crl.O.P.(MD)Nos.21281 of 2024 & 259 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 21.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)Nos.21281 of 2024 & 259 of 2025
and Crl.M.P(MD) No.13212 of 2024

Ramjan Ali

... Petitioner in Crl.O.P(MD) No.21281 of 2024

1. Sankar Ganesh

2. Maharajan

3. Chinakutty

... Petitioners in Crl.O.P(MD) No.259 of 2025

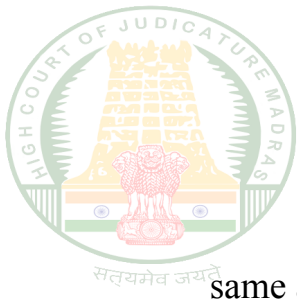
Vs

1. The State of Tamilnadu,
Rep by the Inspector of Police,
Medical College Police Station,
Tirunelveli City.
Crime No.105 of 2024.

2. Arther Stephan

... 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. 105 of 2024 on the file of 1st respondent dated 23.09.2024 and quash the



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same as illegal.

In both petitions:

For Petitioners : Mr.K.Jeyamohan

For R1 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

For R2 : Mr.S.Ahamed Kadar Ibrahim

COMMON ORDER

These Criminal Original Petitions have been filed to quash the First Information Report in Crime No.105 of 2024 on the file of the first respondent Police.

2. The case of the prosecution is that due to previous enmity on 23.09.2024, the accused persons waylaid the defacto complainant/R2, abused him with filthy language and threatened him 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 respondent has lodged a complaint before the first respondent Police and on that basis, F.I.R. came to be registered in Crime No.105 of 2024, dated 23.09.2024 for the offences under Sections 126(2), 296(b), 109 &



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351(3) of BNS Act against the petitioners.
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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 21.01.2025, 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.S.Murugan, SSI 1037, Medical College Police Station, Tirunelveli City, 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.

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 126(2), 296(b), 109 & 351(3) of BNS Act.



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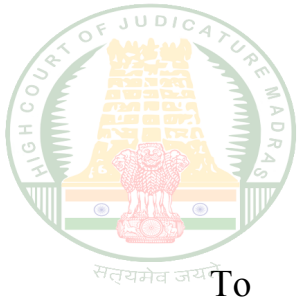
7. The legal position expressed by the Hon'ble Apex Court in the case of *Gian Singh vs. State of Punjab and another* reported in *(2012)10 SCC 303* and *Parbatbhai Aahir @ Parbatbhai Vs. State of Gujarat* reported in *(2017) 9 SCC 641* were taken into consideration.

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.105 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.105 of 2024, on the 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 petition is closed.

21.01.2025

NCC : Yes / No
Index : Yes / No
PNM



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1. The Inspector of Police,
Medical College Police Station,
Tirunelveli City.
Crime No.105 of 2024.

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



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M.NIRMAL KUMAR, J.

PNM

COMMON ORDER IN
Crl.O.P.(MD)Nos.21281 of 2024 & 259 of 2025
and Crl.M.P(MD) No.13212 of 2024

21.01.2025