



Crl.O.P.(MD)No.22335 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2025

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.22335 of 2024

Rameh @ Ramesh Prabha

... Petitioner

Vs.

1.State of Tamil Nadu through
The Inspector of Police,
Aruppukottai Taluk Police Station,
Virudhuanagar District.
(Crime No.96/2024)

2.Ponmari

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records pertaining to the Charge Sheet in C.C.No.130 of 2024 on the file of learned Judicial Magistrate, Aruppukottai and quash the same.

For Petitioner	: Mr.J.Mohamed Ibrahim
For R1	: Mr.K.Sanjai Gandhi Government Advocate (Criminal Side)
For R2	: Mr.K.Yasar Arafath

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.130 of 2024 on the file of Judicial Magistrate, Aruppukottai.



Crl.O.P.(MD)No.22335 of 2024

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2. The case of the prosecution is that on 03.05.2024, the petitioner came to the defacto complainant's agricultural land and was bathing. At that time, wordy quarrel arose between the petitioner and the defacto complainant. Due to the same, the petitioner is said to have abused and assaulted the defacto complainant and her sister. Hence, this case.

3. The learned counsel appearing for the petitioner would submit that the second respondent lodged a complaint before the first respondent in Crime No.96 of 2024 and after investigation, final report was filed and the same was taken cognizance in C.C.No.130 of 2024 on the file of Judicial Magistrate, Aruppukottai for the offences under Sections 294(b), 323, 506(1) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 against the petitioner.

4. The case is under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves. Now, both realized their mistakes, reconciled and second respondent agreeing to withdraw the complaint, not willing to pursue the case.



Crl.O.P.(MD)No.22335 of 2024

5. A Joint Memo of Compromise is filed before this Court signed by the petitioner and the second respondent and their respective counsels.

The petitioner and the second respondent are present before this Court and identified by Mr.S.Ravi Easwaran, Aruppukottai Taluk Police Station, Virudhunagar District, as well as by the learned counsel appearing for the parties. This Court enquired both the parties, satisfied that the parties have come to an amicable settlement between themselves on their own without any compulsion.

6. In the instant case, there was a wordy quarrel between the petitioner and the defacto complainant and now the parties have compromised the matter. The High Court has power to quash the complaint even in non compoundable cases, 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.



Crl.O.P.(MD)No.22335 of 2024

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 C.C.No.130 of 2024 as against the petitioner on the file of Judicial Magistrate, Aruppukottai even though, the offences involved are not compoundable in nature.

9. Accordingly, this Criminal Original Petition is allowed and the proceedings in C.C.No.130 of 2024 on the file of Judicial Magistrate, Aruppukottai is quashed as against the petitioner and the joint compromise memo shall form part and parcel of this order.

NCC : Yes / No

10.01.2025

Index : Yes / No

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To

1.The Judicial Magistrate, Aruppukottai.

2.The Inspector of Police,
Aruppukottai Taluk Police Station,
Virudhuanagar District.

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



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Crl.O.P.(MD)No.22335 of 2024

M.NIRMAL KUMAR, J.

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Crl.O.P.(MD)No.22335 of 2024

10.01.2025