



Crl.O.P.No.29753 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.29753 of 2024

and

Crl.M.P.Nos.16677 & 16681 of 2024

Kumar @ Dowser Kumar
S/o.Sekar, No.64/2, Ayyavu Theru,
Shenoy Nagar, Chennai - 600 030.

Petitioner

Vs

1. The State Rep By Its,
The Inspector Of Police,
K-3 Aminijikarai
Police Station, Chennai - 600 029.

2. R.Ananda Raj

Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS,
to call for the records relating to PRC No.89 of 2024 as against the
petitioner on the file of the V Metropolitan Magistrate Court, Egmore,
Chennai and quash the same.

For Petitioner : M/s.N.Harini

For R1 : Mr.S.Sugendran
Additional Public Prosecutor

R2 : Appeared in person



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ORDER

This Criminal Original Petition has been filed to call for the records relating to PRC No.89 of 2024 as against the petitioner on the file of the V Metropolitan Magistrate Court, Egmore, Chennai and quash the same.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent police and perused the materials available on record.

3.The second respondent/defacto complainant lodged a complaint as against the petitioner before the first respondent police. The first respondent police registered a case in Crime No.311 of 2022. After completion of investigation, charge sheet was filed and the same was taken on file in P.R.C.No.89 of 2024 on the file of the V Metropolitan Magistrate Court, Egmore, Chennai. Whiles, this criminal original petition has been filed for quashing the proceedings in P.R.C.No.89 of 2024 on the ground that the parties have arrived at compromise.



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4. Considering the offence levelled in this case and after filing of the charge sheet, the defacto complainant/second respondent as well as the accused/petitioner have entered into compromise, since they want to put quietus to the issue and also the above facts and circumstances of the case, the contention of the petitioner is accepted.

5. Both the defacto complainant and the accused have appeared before this Court and they have filed the joint memo of compromise. The respondent police also verified the identity of the defacto complainant and the petitioner/accused.

6. This Court is inclined to quash the charge sheet and accordingly, the proceedings in P.R.C.No.89 of 2024 on the file of the V Metropolitan Magistrate Court, Egmore, Chennai as against the petitioner/accused is quashed by invoking Section 528 of BNSS, 2023.



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7. With the abovesaid direction, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

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mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The V Metropolitan Magistrate Court, Egmore, Chennai.
2. The State Rep By Its,
The Inspector Of Police,
K-3 Aminijikarai
Police Station, Chennai - 600 029.
3. The Public Prosecutor,
High Court, Chennai.



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P.VELMURUGAN, J.

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