



Crl.O.P.No. 3399 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.3399 of 2025

and

Crl.M.P.Nos.2235 & 2237 of 2025

1. Vinothkumar
2. Moorthy
3. Sankar
4. Sundar Raj

.... Petitioners

Vs

1. The State rep by
Inspector of Police,
Dharmapuri Police Station.

2. Kaverivarman

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to the Criminal case in STC No.90 of 2024 on the file of the Judicial Magistrate I, Dharmapuri, quash the same by allowing this criminal original petition.

For Petitioners : Mr.AGD Bala Kumar

For R1 : Mr.A.Gopinath
Government Advocate (Crl.Side)

For R2 : Mr.B.Shyam



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ORDER

WEB COPY This Criminal Original Petition has been filed to quash the proceedings in STC No.90 of 2024 on the file of the Judicial Magistrate I, Dharmapuri, thereby taken cognizance for the offences under Sections 294(b), 323, 506(1) of IPC.

2. Pending this petition, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Memo of Compromise has been filed before this Court, which has been signed by the petitioners and the defacto complainant and also by their respective counsel. All the parties are present and identified by their respective counsel and the Police. In order to identify the respective parties, they have also produced the copies of the identity card are made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the proceeding pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)**, this Court in exercise of its



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jurisdiction under Section 528 of BNSS, 2023, quashes the proceedings
in STC No.90 of 2024 on the file of the Judicial Magistrate I,
Dharmapuri,

5. In view of the above, the proceedings in STC No.90 of 2024 on the file of the Judicial Magistrate I, Dharmapuri, is hereby quashed. The terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioners shall pay a sum of Rs.2,000/- each, (Rupees Two Thousand only) as costs, to the Chief Justice Relief Fund, Tamil Nadu, within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

6. Accordingly, the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are closed.

17.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

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G.K.ILANTHIRAIYAN, J.

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To

1. The Judicial Magistrate I,
Dharmapuri,

2. The Inspector of Police,
Dharmapuri Police Station.

3. The Public Prosecutor,
Madras High Court,
Chennai.

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