



Crl.O.P.No. 3786 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2025

CORAM:

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

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- 1.Vijay
- 2.Arun
- 3.Sarath
- 4.Maneesh
- 5.Yuvaraj
- 6.Gopi
- 7.Sathiyajith
- 8.Karthick
- 9.Kannan
- 10.Sarath Babu

.... Petitioners

Vs

1. State of Tamil Nadu,
Inspector of Police,
T 7, Tank Factory Police Station,
Avadi, Thiruvallur District.
Crime No 813/2018

2. Prabu

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to PRC No.38 of 2023 pending on the file of the Judicial Magistrate at Ambattur, Tiruvallur District and quash the same.



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For Petitioner : Mr.A.Samson
For R1 : Mr.A.Gopinath
Government Advocate (Crl.Side)
For R2 : Mr.M.Muthuramalingam

ORDER

This Criminal Original Petition has been filed to quash the proceedings in PRC No.38 of 2023 pending on the file of the Judicial Magistrate, Ambattur, Tiruvallur District, thereby taken cognizance for the offences under Sections 294(b) and 307 of IPC later altered to Section 147, 148, 294(b), 324(2), 307 and r/w 149 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 Aadhaar 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.

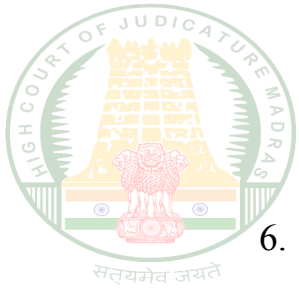


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4. Under such circumstances, no useful purpose will be served in keeping the proceeding pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)**, this Court in exercise of its jurisdiction Section 528 of BNSS, 2023, quashes the proceedings in PRC No.38 of 2023 pending on the file of the Judicial Magistrate, Ambattur, Tiruvallur District.

5. In view of the above, the proceedings in PRC No.38 of 2023 pending on the file of the Judicial Magistrate, Ambattur, Tiruvallur District, 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.1,000/- each, (Rupees One 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.



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6. Accordingly, the Criminal Original Petition stands allowed.

WEB Consequently, connected miscellaneous petition is closed.

17.02.2025

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

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To

1. The Judicial Magistrate,
Ambattur, Tiruvallur District

2. The Inspector of Police,
T 7, Tank Factory Police Station,
Avadi, Thiruvallur District.

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



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