



CRL OP No. 4705 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 4705 of 2025

Manikandan

Petitioner

Vs

1. The State

Rep. By, The Inspector of Police,
Bargur Police Station,
Krishnagiri District.
(Crime No. 186/2018)

2. Madhaiyan

Respondents

PRAYER :- Criminal Original Petition filed under Sec. 528 of B.N.S.S.,
praying to call for the records pending on the file of Judicial Magistrate No.I,
Krishnagiri, Krishnagiri District in C.C.No. 123 of 2018 and quash the criminal
proceeding.



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For Petitioner: Mr. E.Kannadasan

For Respondents: Mr.K.M.D.Muhilan
Govt. Advocate (Crl.Side) for R1

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.123 of 2018 on the file of the Judicial Magistrate No.I, Krishnagiri, thereby taken cognizance for the offences under Sections 294(b), 323, 506(ii) 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 petitioner and the defacto complainant and also by the counsel for the petitioner. Both the parties are present and identified by the counsel and the Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

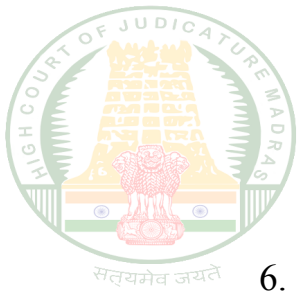


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4. Under such circumstances, no useful purpose will be served in keeping the proceeding pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 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 C.C.No.123 of 2018 on the file of the Judicial Magistrate No.I, Krishnagiri.

5. In view of the above, the proceedings in C.C.No.123 of 2018 on the file of the Judicial Magistrate No.I, Krishnagiri, is hereby quashed. The terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.5,000/-, (Rupees Five Thousand only) as costs, to the Chief Justice Relief Fund, Tamil Nadu, forthwith 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.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. The Inspector of Police,
Bargur Police Station,
Krishnagiri District.

2. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN J.

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