



Crl.O.P.No.6332 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2025

CORAM:

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

Crl.O.P.No.6332 of 2025
and Crl.M.P.Nos.4051 & 4050 of 2025

- 1.Veera @ Veerakumar
- 2.Bharath @ Barathkumar
- 3.Deepa
- 4.Logesh
- 5.Inungoor Balu @ Balasubramani
- 6.Paramakudi Uthaya Uthayakumar
- 7.Thakkuva @ Dhanishk

... Petitioners

Vs.

- 1.The State Rep by
The Inspector of Police,
Namakkal Police Station,
Namakkal District,
Crime No.1152 of 2020

- 2.S.Mohankumar

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records culminating in SC.No.8 of 2025 on the file of the Chief Judicial Magistrate of Namakkal and to quash the same.

For Petitioners : Mr.B.Mohan



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For Respondents

For R1 : M/s.J.R.Archana
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash the proceedings in SC.No.8 of 2025 on the file of the Chief Judicial Magistrate of Namakkal, thereby taken cognizance for the offences under Sections 147, 148, 341, 307, 120B, 114 & 149 of IPC.

2. The learned counsel for the petitioners seeks permission of this Court to withdraw this criminal original petition in respect of petitioners 2, 4 & 7.

3. In view of the above submission, this criminal original petition is liable to be dismissed as withdrawn in respect of petitioners 2, 4 & 7. However, pending this criminal original petition, the other parties and the defacto complainant have decided to bury their hatchet and compromise the dispute amicably among themselves.

4. A Joint Compromise Memo has been filed before this Court, which has been signed by petitioners 1, 3, 5 & 6 and the defacto



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complainant and also by the petitioner's counsel. All the parties are present and identified by the Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. 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 under Section 528 of BNSS, 2023, quashes the proceeding in SC.No.8 of 2025 pending trial on the file of the Chief Judicial Magistrate of Namakkal

6. In view of the above, the proceedings in SC.No.8 of 2025 pending on the file of the Chief Judicial Magistrate of Namakkal, is hereby quashed in respect of petitioners 1, 3, 5 & 6. The terms of the aforesaid Joint Compromise Memo shall form part and parcel of this Order. Petitioners 1, 3, 5 & 6 shall jointly pay a sum of Rs.8,000/-, (Rupees Eight Thousand only) as costs, to the Chief Justice Relief Fund, Madras High Court, Tamil Nadu, forthwith and file a photocopy of the



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receipt along with a memo reporting compliance in the Registry.

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7. Accordingly, this Criminal Original Petition stands allowed in respect of petitioners 1, 3, 5 & 6 and this criminal original petition is dismissed as withdrawn in respect of petitioners 2, 4 & 7. Consequently, connected miscellaneous petitions are closed.

06.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To
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1.The Chief Judicial Magistrate of Namakkal

2.The Inspector of Police,
Namakkal Police Station,
Namakkal District

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



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G.K.ILANTHIRAIYAN, J.
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