



Crl.O.P.No.5581 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

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CORAM:

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

Crl.O.P.No.5581 of 2025
and Crl.M.P.No.3623 of 2025

M.Y.Thameem Ansari

... Petitioner

Vs.

1. The State Rep by
The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai.

2. G.Sivakumar

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records pending on the file of the V Metropolitan Magistrate Court, Egmore, Chennai in C.C.No.1045 of 2024 and quash the criminal proceeding.

For Petitioner : Ms.Reshmi Christy

For Respondents

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



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ORDER

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This Criminal Original Petition has been filed to quash the C.C.No.1045 of 2024 on the file of the learned V Metropolitan Magistrate, Egmore, Chennai, thereby taken cognizance for the offences under Sections 294(b), 428, 506(i) of IPC and 11(1)(a) of the Prevention of Cruelty to Animals Act, 1960.

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

3. A Joint Compromise Memo has been filed before this Court, which has been signed by the petitioner and the defacto complainant. 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 and it is 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 under Section 528 of BNSS, 2023, quashes the proceeding in C.C.No.1045 of 2024 pending trial on the file of the learned V Metropolitan Magistrate, Egmore, Chennai.

5. In view of the above, the proceedings in C.C.No.1045 of 2024 on the file of the learned V Metropolitan Magistrate, Egmore, Chennai, is hereby quashed. The terms of Joint Compromise Memo shall form part and parcel of this Order. Accordingly, the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

03.03.2025

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

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G.K.ILANTHIRAIYAN, J.

rts

To

1. The V Metropolitan Magistrate,
Egmore, Chennai.

2. The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai.

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

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