



WEB COPY



Crl.O.P.No.11379 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2025

CORAM:

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

Crl.O.P.No.11379 of 2025

Yaakeshwaran

... Petitioner

Vs.

1.The State

Represented by Inspector of Police

Namagiripettai Police Station

Namakkal District

(Crime No.322 of 2022)

2.Elangovan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C./528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in C.C.No.168 of 2024 on the file of the learned Judicial Magistrate Court, Rasipuram, Namakkal District and quash the entire proceedings.

For Petitioner : Mr.D.Senthil Kumar

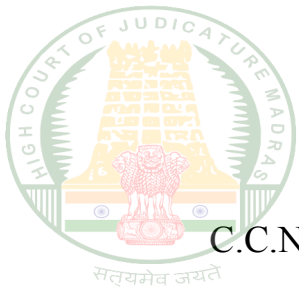
For Respondents

For R1 : Mr.A.Gopinath

Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash the



Crl.O.P.No.11379 of 2025

C.C.No.168 of 2024 on the file of the learned Judicial Magistrate Court, Rasipuram, Namakkal District, thereby taken cognizance for the offences under Sections 294(b), 323 and 427 IPC, 1860.

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 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.

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**



Crl.O.P.No.11379 of 2025

Aahir @ Parbathbhai Vs. State of Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C./Section 528 of BNSS, 2023, quashes the proceeding in C.C.No.168 of 2024 pending trial on the file of the learned Judicial Magistrate Court, Rasipuram, Namakkal District.

5.In view of the above, the proceedings in C.C.No.168 of 2024 on the file of the learned Judicial Magistrate Court, Rasipuram, Namakkal District, is hereby quashed as against the petitioners alone. The Trial Court is directed to proceed with the trial as against the other accused persons. 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, Madras High Court, Tamil Nadu, forthwith and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

6.Accordingly, the Criminal Original Petition stands allowed.

17.04.2025

kas

Index: Yes / No

Neutral Citation

Page 3 of 4



WEB COPY



Crl.O.P.No.11379 of 2025

G.K.ILANTHIRAIYAN, J.

kas

To

1. The Judicial Magistrate
Rasipuram
Namakkal District

2. Inspector of Police
Namagiripettai Police Station
Namakkal District
(Crime No.322 of 2022)

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

Crl.O.P.No.11379 of 2025

17.04.2025