



Crl.O.P.No.6945 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM:

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

Crl.O.P.No.6945 of 2025

1. K.Nithishkumar
2. Vivian Tarun Leo

... Petitioners

Vs.

1. The State Rep by
The Inspector of Police,
Thazhambur Police Station,
Pallikaranai Division,
Kanchipuram District – 600 130.
Crime No.28 of 2025.

2. J.Divakar

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records and quash all further proceedings in Crime No.28 of 2025 dated 29.01.2025 on the file of the first respondent police

For Petitioners : Mr.S.Sanjay
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 FIR in Crime No.28 of 2025 on the file of the first respondent, registered for the offences under Sections 126(2), 296(b) and 351(2) of BNS.

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

3. A Joint Compromise Memo along with affidavit 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.

4. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, the offences involved are not compoundable in nature. In the light of the



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guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC**

641 in the case of ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath***, this Court in exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the FIR in Crime No.28 of 2025 pending investigation on the file of the first respondent.

5. In view of the above, the FIR in Crime No.28 of 2025 on the file of the first respondent, is hereby quashed. The terms of Joint Compromise Memo shall form part and parcel of this Order. The petitioners shall pay a sum of Rs.2,500/-, (Rupees two thousand five hundred only) each 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.

6. Accordingly, the Criminal Original Petition stands allowed.

11.03.2025

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



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G.K.ILANTHIRAIYAN, J.

rts

To

1.The Inspector of Police,
Thazhambur Police Station,
Pallikaranai Division,
Kanchipuram District – 600 130.

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

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