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Crl.O.P.No. 7338 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2025

CORAM:

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

Crl.O.P.No.7338 of 2025 and
Crl.M.P.No.4694 of 2025

1.A.Prabakaran

2.R.Karthik

3.R.Rajaguru

... Petitioners

Vs.

1.The Inspector of Police, (Crimes)
E-4, Abiramapuram Police Station,
Chennai 600 028.
(Crime No.1564 of 2016)

2.S.Rajagopalan

..Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in C.C.No.808 of 2017 on the file of XXIII Metropolitan Magistrate at Saidapet and quash the same.

For Petitioners : Mr.P.Kannan



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Crl.O.P.No. 7338 of 2025

For R1

: M/s.J.R.Archana,
Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed to quash the charge sheet in. C.C.No.808 of 2017 on the file of XXIII Metropolitan Magistrate at Saidapet.

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

3. A Memo of Compromise has been filed before this Court, which has been signed by the petitioner and the second respondent 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.



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4. Under such circumstances, no useful purpose will be served in keeping the proceedings 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 482 Cr.P.C./Section 528 of BNSS, 2023, quashes the proceedings in C.C.No.808 of 2017 pending trial on the file of XXIII Metropolitan Magistrate at Saidapet.

5. In view of the above, the proceedings in C.C.No.808 of 2017 pending on the file of XXIII Metropolitan Magistrate at Saidapet, is hereby quashed. The terms of Memo of Compromise shall form part and parcel of this Order. The petitioners shall pay a sum of Rs.2,000/-, (Rupees Two Thousand only) each as costs, to the Chief Justice Relief Fund, Tamil Nadu, within a period of one week from the date of receipt of a copy of this order 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.

Consequently, connected miscellaneous petition is closed.

13.03.2025

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

To

1. XXIII Metropolitan Magistrate at Saidapet.
2. The Inspector of Police, (Crimes)
E-4, Abiramapuram Police Station,
Chennai 600 028.



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3. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.

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