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Crl.O.P.No.7063 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.03.2025

CORAM:

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

Crl.O.P.No.7063 of 2025

1. Vikram
2. Abinash
3. Sanjay Kumar
4. Shanmugam

... Petitioners

Vs.

1. The State of Tamil Nadu
Rep. by its Inspector of Police,
Pollachi East Police Station,
Coimbatore District,
Crime No.296 of 2024.

2. Sujithkumar
3. Gokul Krishna Singh

... 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.389 of 2024 pending on the file of the learned Judicial Magistrate No.I, Pollachi, and quash the same as against the petitioners.

For Petitioners : Mr.P.Suresh

For Respondents

For R1 : Mr.J.R.Archana
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.389 of 2024 on the file of the learned Judicial Magistrate No.I, Pollachi, thereby taken cognizance for the offences under Sections 296(b), 115(2) and 351(3) 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 has been filed before this Court, which has been signed by the petitioners, victim 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.



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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.389 of 2024 pending trial on the file of the learned Judicial Magistrate No.I, Pollachi,

5. In view of the above, the proceedings in C.C.No.389 of 2024 on the file of the learned Judicial Magistrate No.I, Pollachi, is hereby quashed as against all the petitioners. The terms of Joint Compromise Memo shall form part and parcel of this Order. The petitioners shall pay a sum of Rs.1,500/-, (Rupees one 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.



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6. Accordingly, the Criminal Original Petition stands allowed.

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

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1 Judicial Magistrate No.I,
Pollachi.

2. The Inspector of Police,
Pollachi East Police Station,
Coimbatore District.

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



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G.K.ILANTHIRAIYAN, J.

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