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CrI.O.P.No. 8209 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2025

CORAM:

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

CrI.O.P.No.8209 of 2025 and
CrI.M.P.Nos.5361 and 5363 of 2025

Jayaram

... Petitioner

Vs.

1.The Inspector of Police,
Udumalpet Police Station,
Thiruppur District.
Crime No.65 of 2012.

2.Murugesan

..Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records with respect of C.C.No.132 of 2015 on the file of Judicial Magistrate No.1, Udumalpet and quash the same.

For Petitioner : Mr.R.Nalliyappan

For R1 : Mr.R.Vinothraja,
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed to quash the proceeding in C.C.No.132 of 2015 on the file of Judicial Magistrate No.1, Udumalpet.

2. The case of the prosecution is that totally 120 employees were worked at the petitioner's Spinning Mill, with a settlement requiring the management to pay their EPF. While the management credited PF from 2001 to 2009, it was found that the deducted PF amounts were not transferred to the employees' accounts. Despite multiple meetings with the management, no resolution was reached. As a result, the second respondent filed a complaint, requesting the first respondent to take action and ensure the PF payments are made to the employees. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the matter has been settled between the parties. That apart, it was brought to



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the attention of this Court that the second respondent has passed away and the same was duly confirmed by the learned Government Advocate (CrI. Side) appearing for the first respondent.

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 482 Cr.P.C./Section 528 of BNSS, 2023, quashes the proceeding in C.C.No.132 of 2015 pending trial on the file of Judicial Magistrate No.1, Udumalpet.

5. In light of the above, the entire proceedings in C.C. No. 132 of 2015 on the file of the Judicial Magistrate No. 1, Udumalpet, is hereby quashed as against the petitioner.



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6. Accordingly, this Criminal Original Petition stands allowed.

Consequently, connected miscellaneous petitions are closed.

27.03.2025

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



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To
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1. The Judicial Magistrate No.1, Udumalpet
2. The Inspector of Police,
Udumalpet Police Station,
Thiruppur District.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

shk

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